

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62710 of 2025

Arising Out of PS. Case No.-404 Year-2025 Thana- Excise P.S. District- Sheikhpura

Abodh Kumar S/O Late Yogeshwri Singh R/O Dharseni, P.S.- Kewti, District-Sheikhpura Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise P.S. Case No. 404 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the allegation made in the F.I.R., recovery of total 74.250 litres of foreign liquor has been made from different bags kept in *bathaan* which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He has got no criminal antecedent. As a matter of fact, no occurrence as alleged by the prosecution has taken place and nothing has been recovered from the possession of the petitioner



or from his property, and wrongly it has been stated that 74.250 litres of foreign liquor was allegedly recovered from a *bathaan* made of husk, allegedly belonging to the petitioner, the said *bathaan* is an open and it is easily accessible to everyone. Petitioner is languishing in jail since 19.08.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Sheikhpura in connection with Excise P.S. Case No. 404 of 2025 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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