

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64660 of 2025

Arising Out of PS. Case No.-267 Year-2025 Thana- RAMGARHWA District- East
Champaran

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Shamsad Hawari S/o Shahabuddin Hawari R/o Village- Siswa Tola, P.S.-
Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is an accused in connection with
Ramgarhwa P.S. Case No.267 of 2025 registered under Sections
317(5) of B.N.S. and Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, on secret information, the
petitioner was arrested while trying to escape seeing the police
party and on search, 80 litres illicit country made liquor was
recovered from sack tied on a motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and he has
been falsely implicated in this case only on the basis of



suspicion. Nothing has been recovered from conscious possession of the petitioner. Petitioner is neither owner of the seized motorcycle nor he has any concern with the seized illicit liquor. There is no independent witness of the seizure list. Petitioner is in custody since 17.07.2025 having clean antecedent. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, submissions of learned counsel for the parties as well as the period of custody, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.3, East Champaran, Motihari in connection with Ramgarhwa P.S. Case No.267 of 2025.

(Sunil Dutta Mishra, J)

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