

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65189 of 2025**

Arising Out of PS. Case No.-256 Year-2025 Thana- Excise P.S. District- Siwan

Vishal Kumar @ Vishal Kumar Rajbhar @ Vishal Rajbhar S/o Dinanath
Rajbhar @ Dina Rai R/o Village- Dumarahar, P.S.- Darauli, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Siwan
Excise PS Case No. 256 of 2025 instituted for the offences
under Section/s 30(a), 32(3), 41(i) & 54 of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 1035.720
liters liquor was recovered from truck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted



that name of the petitioner has surfaced in this case as being co-driver of the vehicle in question and he was oblivious of the fact that illicit liquor was laden in the vehicle. The petitioner is in custody since 13-04-2025 and has got one criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted bail by this Court vide order dated 15-07-2025, passed in Cr. Misc. No. 44483 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwan Excise PS Case No. 256 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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