

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63895 of 2025

Arising Out of PS. Case No.-454 Year-2025 Thana- Excise P.S. District- Kishanganj

Sanjay Tiwari, Son of Binda Tiwari, R/O village - Ametha, Ward No.- 4, P.S.-
Saraiya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar S.K., Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Special Case No. 466 of 2025, arising out of Kishanganj Excise P.S. Case No.454/2025 registered for the alleged offence under Sections 30 (a) & 32 (3) of the Bihar Prohibition Act and Excise Act.

3. As per prosecution case, the petitioner was found traveling in a vehicle with 176.250 liters of foreign liquor kept in secret chamber of the vehicle and the petitioner was apprehended and illicit liquor was seized.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the seized liquor or



with the co-accused persons. The petitioner is neither the driver nor the owner of the vehicle and he was merely a passenger. Nothing incriminating has been recovered from the person/possession of the petitioner. The petitioner is having antecedent of one case of similar nature and is in custody since 20.08.2025.

5. Learned A.P.P. opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the recovery from a vehicle to which the petitioner is said to be a passenger and further considering the period of custody of the petitioner, the petitioner is directed to 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 Exclusive Special Judge-II, Kishanganj, in connection with Special Case No. 466/2025, arising out of Kishanganj Excise P.S. Case No. 454 of 2025, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be the close relative of the petitioner.
- (ii) The petitioner will remain present on each



and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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