

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66501 of 2025

Arising Out of PS. Case No.-1189 Year-2025 Thana- Excise P.S. District- East Champaran

Suraj Kumar S/o Harishankar Manjhi @ Harishankar Majhi R/o Village -
Khairi Jamuiya, Ward No.- 05, P.S - Pipra, District- East Chamaparan at
Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

For the Opposite Party/s : Mrs.Pushpa Sinha. I, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-09-2025 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 Excise P.S. Case No. 1189 of 2025, registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, recovery of 144 litre of country made Nepali liquor was made from the car being driven by the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. Learned counsel further submits that the petitioner has no concern with the alleged recovery and he was merely a passer by. The driver fled away from the spot and this petitioner was apprehended on suspicion. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is non-compliance of mandatory provisions of Section 103 of the BNSS. The petitioner is having clean antecedent and he is in custody since 24.07.2025. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering submission of charge sheet, clean antecedent of the petitioner and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Excise Court No. 2, East Champaran at Motihari/concerned court, in connection with Excise P.S. Case No. 1189 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (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)

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