

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66095 of 2025

Arising Out of PS. Case No.-800 Year-2025 Thana- MAHUA District- Vaishali

Arvind Kumar, S/o Bindeshwar Rai, Resident of Village- aile, P.S - Bidupur,
District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Shankar Prasad, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

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 Mahua P.S. Case No. 800 of 2025 registered for the alleged offences under Sections 317(5)/3(5) of BNS and Section 30 (a) of the Bihar Prohibition Act and Excise Act.

3. As per prosecution case, in course of raids being conducted against a drive against liquor, a person started running away leaving behind his motorcycle on seeing the police party. The said person was apprehended after chase and from two bags kept on the motorcycle, recovery of 180 liters of country made liquor was made.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner was apprehended in this case merely on suspicion as he was passing through the road where the recovery has been shown. The petitioner has no concern either with the seized liquor or the seized motorcycle. The petitioner is in custody since 26.07.2025 and is having antecedent of two cases.

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 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, Excise Court No. 2, Vaishali at Hajipur/court concerned, in connection with Mahua P.S. Case No. 800 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.

However, before accepting the bail bonds of the
petitioner, the learned court below would verify the fact as to
whether the motorcycle recovered from the petitioner belongs
to him or his family member and if it is found that the said
motorcycle belongs to the petitioner or his family member, then
his bail bonds will not be accepted.

(Arun Kumar Jha, J)

V.K.Pandey/-

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