

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69607 of 2025

Arising Out of PS. Case No.-273 Year-2025 Thana- DESARI District- Vaishali

Abhishant Kumar @ Gautam Kumar S/o Pramod Singh Resident of Village-
Mathura, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Desri P.S. Case No. 273 of 2025 registered for the alleged offences Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received secret information about transportation of country made *chulai* liquor by a white coloured Bolero vehicle. Checking of vehicles was started and a white coloured Bolero was signaled to stop. Two persons tried to flee away but they were apprehended after chase and petitioner is one of the apprehended person. On search of the Bolero vehicle, recovery of 580 liters of country made liquor was made.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern either with the seized liquor or the seized vehicle. Learned counsel further submits that the petitioner had no idea about the liquor kept in the vehicle. The co-accused, Abhishek Dubey, made the petitioner to accompanying him on the vehicle from which recovery has been made. The petitioner is having clean antecedent and is in custody since 29.07.2025. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named, 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)-I, Vaishali at Hajipur/court concerned in connection with Desari P.S. Case No. 273 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and 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)

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