

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69935 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- Excise Jhanjharpur District- Madhubani

Santosh Kumar S/O Darpi Mandal R/o Vill.- Dighiya, Ward No.02, P.S -
Nirmali, District – Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioner seeks regular bail in connection with Jhanjharpur Excise P.S. Case No. 114 of 2025 for the offences registered under Sections 30(a), 32(1), 32(3) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, during course of vehicle checking police intercepted a motorcycle on which petitioner along with one co-accused were riding. On search, 15 litre illicit liquor was recovered from the said motorcycle, kept in the dickey and under the seat.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Petitioner is not the owner of the alleged motorcycle.



Petitioner has no concern with the seized liquor. Nothing has been recovered from the conscious possession of the petitioner. There is no independent witness to the seizure-list. Petitioner has four criminal antecedents. He is in custody since 11.07.2025. Petitioner undertakes to co-operate in the trial. Similarly situated co-accused, namely Suresh Kumar Ray has already been granted bail by the learned Trial Court.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Jhanjharpur P.S. Case No. 114 of 2025, subject to following conditions:-

- (i) the petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the learned Trial Court itself;
- (ii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iii) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Sunil Dutta Mishra, J.)

Rakhi

U		T	
---	--	---	--

