

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66058 of 2025

Arising Out of PS. Case No.-232 Year-2025 Thana- EXCISE PUPRI District- Sitamarhi

Santosh Kumar, S/O Late Shankar Sahni, Resident of Village- Bathna, P.S.-
Bathnaha, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore, 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 Pupri Excise P.S. Case No. 232 of 2025 registered for the alleged offence under Sections 30 (a) & 32 (c) of the Bihar Prohibition Act and Excise Act.

3. As per prosecution case, the petitioner was apprehended carrying 135 liters of country made Nepali liquor in a bag on his motorcycle.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of the petitioner. The recovery has been shown from a bag being carried on the motorcycle, but the said



motorcycle does not belong to this petitioner as he is neither the owner nor the driver of the motorcycle. The petitioner has been made accused in this case merely on the basis of his criminal antecedent as he is having antecedent of five cases in similar nature and he is on bail in all such cases. The petitioner is in custody since 21.07.2025.

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 period of custody of the petitioner, he 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 Excise Court No.02, Sitamarhi/court concerned, in connection with Pupri Excise P.S. Case No. 232 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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