

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66524 of 2025

Arising Out of PS. Case No.-219 Year-2025 Thana- EXCISE PUPRI District- Sitamarhi

Subodh Kumar S/o Kanto Sahni Resident of Village - Tataila, Ward No.- 5,
Ganauli Chak, P.S - Kamtaul, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Adv.

For the Opposite Party/s : Mr.Rajiv Nayan, 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. Pupri Case No. 219 of 2025, registered for the offences under Section 30(a) 32(C) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, police intercepted a vehicle and from the said vehicle recovery of 351 litre of country made foreign liquor was made. The driver fled away after stopping the vehicle. The police party gave him a chase and after much search, the said person was apprehended who is stated to be the petitioner of the present case.

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 was not apprehended from the spot and nothing incriminating has been recovered from person or possession of the petitioner. The petitioner is a labourer and has nothing to do with the vehicle in question. The petitioner is neither owner nor the driver of the said vehicle. From the FIR it is also apparent that the petitioner was not apprehended anywhere near the seized vehicle. The petitioner is in custody since 11.07.2025 and he has no criminal antecedent.

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 the fact that no recovery has been shown the conscious possession of the petitioner and also considering clean antecedent 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 Special Judge Exclusive Excise Court-2, Sitamarhi/concerned court, in connection with Excise P.S. Pupri Case No. 219 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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