

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66697 of 2025

Arising Out of PS. Case No.-485 Year-2025 Thana- Excise P.S. District- Nawada

Rajesh Prasad Aged 35 Years S/o Bishun Prasad Resident of Village- Hajra
Khap, P.S.- Sirdalla, District- Nawada,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Adv

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Nawada Excise P.S. Case No. 485 of 2025 registered for the
offences punishable under Sections 30(a) of Bihar Prohibition
and Excise Act.

3. As per allegation in the FIR, there is a recovery of
50.880 litres of illicit liquor from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner has nothing to do with the alleged liquor
as it was recovered from the trolley bag in public bus which is



managed by the staffs of bus. He further submits that petitioner has been made an scapegoat by the police and bus staffs to save their skin. He further submits that petitioner is in custody since 18.07.2025 having clean antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order dated 05.08.2025, it appears that the alleged recovery was not made from the conscious possession of the petitioner rather it was recovered from the trolley bag which was kept in the public bus. Moreover, there is no independent witness to the seizure list. So, considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner 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 Court, Excise- 2, Nawada in connection with Nawada Excise P.S. Case No. 485 of 2025.

(Ramesh Chand Malviya, J)

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