

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71238 of 2025

Arising Out of PS. Case No.-228 Year-2025 Thana- Excise P.S. District- Kishanganj

Amit Kumar S/o Chandrakishore Yadav R/o Village- Bhalni Gagapur, Ward
No. 03, P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-10-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Kishanganj Madhya Nisedh P.S. Case no.228 of 2025 registered for the offence punishable under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a search being conducted of the vehicle which was parked in a suspicious condition, it is stated that 60 litres of liquor/beer was recovered.

4. Learned counsel for the petitioner submits that the petitioner was nowhere near the vehicle when the alleged seizure is said to have taken place when the vehicle was parked at a public place. No incriminating article has been recovered either from the petitioner's possession or from his vehicle. He



has been falsely implicated in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR, no incriminating article having been recovered from the petitioner's possession, the recovery having been said to have taken place from the vehicle when the same was parked at a public place and specially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kishanganj Madhya Nisedh P.S. Case no.228 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise II, Kishanganj.

(Partha Sarthy, J)

Saurabh/-

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