

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69874 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- Bypass District- Bhagalpur

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Nawal Kumar, S/o Maheshwar Mukhiya, R/o Village- Amarpur, PS-
Sonbarsha, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Bypass P.S. Case No. 117 of 2025 registered for the alleged offence under Sections 30(a)/32(ii) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, police received secret information about smuggling of illicit liquor in two four wheeler vehicles. The checking of vehicles was started and two suspicious vehicles were signaled to stop. The persons sitting in the vehicles tried to run away, but the drivers of both the vehicles were arrested. From search of the vehicle of the petitioner, recovery of total 274.68 liters of illicit liquor was made. Further recovery of 17.28 liters of illicit liquor was made



from other vehicle from which co-accused was apprehended.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case being driver of the seized Scorpio vehicle, but he was having no knowledge about the illicit liquor kept in the vehicle. The petitioner is not the owner of the vehicle. There is no compliance of the mandatory provision with regard to search and seizure. The petitioner is in custody since 02.08.2025 and is having clean antecedent. The charge sheet has been submitted.

5. Learned APP for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner above named 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 Judge-1, Bhagalpur/court concerned in connection with Bypass P.S. Case No. 117 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the 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.

(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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