

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69662 of 2025

Arising Out of PS. Case No.-233 Year-2025 Thana- EXCISE NAUGACHIA District-
Bhagalpur

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Md. Siraj S/o Md. Mukhtar R/o Vill- Matihani Brindaban, PS- Matihani,
Distt.- Begusarai

... .. 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 25-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Excise (Naugachia) P.S. Case No. 233 of 2025 registered for the offences under Sections 30(a) (2) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, petitioner was apprehended with his car and on search of this car, recovery of 90.720 litres of foreign liquor was made from the secret chambers of the car.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner has no concern with the car from which recovery has been made. Petitioner has no



knowledge about the illicit liquor kept in the car as he is only the driver of the said car. Nothing incriminating has been recovered from the person or possession of this petitioner. Petitioner never indulged in trade of illicit liquor. There is non-compliance of mandatory provision of Section 103 of BNSS. Petitioner is in custody since 18.08.2025 who is having clean antecedent.

5. Learned A.P.P. 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 clean antecedent of the petitioner along with his period of custody, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Bhagalpur/concerned court in connection with Excise (Naugachia) P.S. Case No. 233 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. 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.

(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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