

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69454 of 2025

Arising Out of PS. Case No.-189 Year-2025 Thana- Excise P.S. District- Saran

Mohan Kumar S/O Parmeshwar Sah Resident of Village - Daldali Bazar Ward
No. 32, P.S. - Chapra Town, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Sadar Excise P.S. Case No. 189 of 2025 registered for the offence punishable under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from an auto, altogether 70 liters of country-made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that the petitioner is only the driver of the said auto. It has further been submitted that from the perusal of the seizure list, it will transpire that the witnesses of seizure list



are police personnel. He further submits that the copy of the seizure list has not been handed over to the petitioner, which goes to show that nothing has been recovered from his possession. Moreover, the petitioner is languishing in judicial custody since 13.08.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has criminal antecedent of one case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-03, Saran in connection with Sadar Excise P.S. Case No. 189 of 2025 **with a condition that the petitioner will not indulge in similar nature of offences in future.**

(Ashok Kumar Pandey, J)

Sudhanshu/-

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