

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69672 of 2025

Arising Out of PS. Case No.-142 Year-2025 Thana- Excise P.S. District- Saran

=====

Nilesh Kumar @ Nilesh Ray @ Nilesh Rai S/o Ramesh Ray @ Ramesh Rai
R/o Village - Ajaybganj, Azayabganj, P.S - Bhagwan Bazar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Raushan Raj, Advocate

For the Opposite Party/s : Mr.Shyam Kumar Singh, APP

=====

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 Sadar Excise P.S. Case No. 142 of 2025 registered for the offences under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, during checking of vehicles, petitioner was found on a two wheeler and was signaled to stop who tried to run away but he was apprehended. From the sack tied with the motorcycle, 36 litres of beer was recovered.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The motorcycle from which



recovery has been shown does not belong to this petitioner. There is no compliance of mandatory provision of search and seizure. Nothing incriminating has been recovered from the person or possession of this petitioner. Petitioner never indulged in trade of illicit liquor. Petitioner is in custody since 26.06.2025 and charge-sheet has been submitted. Petitioner is having antecedent of one case under Bihar Prohibition and Excise Act in which he is on bail.

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 period of custody of the petitioner and submission of charge-sheet, 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 3rd Exclusive Special Excise Judge, Saran at Chapra/concerned court in connection with Sadar Excise P.S. Case No. 142 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)

balmukund/-

U		T	
---	--	---	--

