

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70441 of 2025

Arising Out of PS. Case No.-356 Year-2025 Thana- CHIRAIYA District- East Champaran

Radhe Shaym Kumar Son of Shiv Pujan Mukhiya Resident of Village -
Hasuaha, P.S. - Muffasil Motihari, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

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

2. The petitioner is in custody in a case registered for the offences punishable under Sections 317(5) BNS and Section 30(a), 41(1) of the Bihar Prohibition and Excise Act.

3. As per the allegation in the FIR, total 210 litres of country made liquor and two bikes have been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that petitioner was arrested on the spot and the said recovery has not been made from the conscious possession of the petitioner. He next submits that petitioner is not owner of the



alleged seized vehicle. He further submits that there is no independent eye witness of the seizure list. He next submits that petitioner is in judicial custody since 14.08.2025 and has got no criminal antecedent as stated in para-3 of the bail petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Considering the above facts and circumstances of the case, submission of learned counsel for the petitioner, let the above named petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Court No-1, East champaran, Motihari in connection with Chiraiya P.S. Case No. 356 of 2025.

(Ramesh Chand Malviya, J)

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