

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70942 of 2025

Arising Out of PS. Case No.-295 Year-2024 Thana- Excise P.S. District- Begusarai

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Murari Kumar S/o Sanjeev Rai R/o Vill - Rupasbaj , P.s.- Bachhwara, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Singh, Advocate. Mr. Prabhat Kumar, Advocate.
For the Opposite Party/s :		Mr. Dr. Kumar Uday Pratap, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

2. The petitioner seeks regular bail in a case registered under Sections 30(a) & 32(3) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 408.750 litre illicit foreign liquor from the shop of co-accused Md. Munawar. It is alleged that petitioner alongwith other co-accused persons fled away from the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case only on the instance of co-accused Md. Munawar. He further submits that no incriminating article has been recovered



from the conscious possession of petitioner rather the alleged recovery has been made from the shop of co-accused. Learned counsel submits that petitioner has no concern either with the alleged seized liquor or with the vehicle in question. He further submits that seizure list has not been prepared in accordance with mandatory provisions of law as there is no independent witness to the seizure list. Learned counsel submits that petitioner is in custody since 10.01.2025, having six criminal antecedents, out of which four cases belongs to similar nature and chargesheet has already been submitted in this case after completion of investigation. He further submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned in connection with Excise P.S. Case No.295 of 2024 with following conditions:-



(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the learned Trial Court;

(ii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iii) The petitioner shall desist from committing any such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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