

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70401 of 2025**

Arising Out of PS. Case No.-818 Year-2025 Thana- Excise P.S. District- Aurangabad

Vishal Kumar Sharma Son of Chitranjan Sharma Resident of Village - Gamharia, Dhiraganj, P.S.- Adityapur, District - Saraikala, Kharsawa, Jharkhand, Permanent Resident of Village - Thakurai Parasiya, P.S.- Nasriganj, District - Rohtas (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Uma Kant Mishra, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, 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 30(a), 32(3) of the Bihar Prohibition and Excise Act.

3. As per the allegation in the FIR, total 980 liters illegal spirit has been recovered from a Bolero Pickup bearing Registration No. JH05DJ6870 which was driven by co-accused person, namely Rahul Kumar Yadav and present petitioner, namely, Vishal Kumar Sharma.

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. He further submits that neither petitioner is the owner of the said vehicle nor driver of the said vehicle. He further submits that no incriminating article has been recovered from the physical possession of the petitioner. He further submits that there is no independent eye witness of the seizure list rather the witness were the members of the raiding party. He next submits that petitioner is in judicial custody since 07.08.2025 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 Special Judge, Excise Court-II, Aurangabad in connection with Excise(Sadar Aurangabad) P.S. Case No. 818 of 2025.

**(Ramesh Chand Malviya, J)**

Harshita/-

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