

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70810 of 2025

Arising Out of PS. Case No.-196 Year-2025 Thana- KURSAILA District- Katihar

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Kusho Sahani S/O Biran Chaudhary Resident of Village- Kursela Pashchim
Tola, P.S.- Kursela, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30 (a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that the petitioner was allegedly carrying 12 polythene bags and upon seeing the police attempted to flee, throwing the said polythene bags. However, he was apprehend and upon search, altogether 60 liters of country made liquor was allegedly recovered from those bags.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that



while making the seizure, police has not followed Section 103 (4) of the BNSS, 2023. It is also submitted that all the seizure list witnesses are police personnel. Moreover, the petitioner is languishing in judicial custody since 08.09.2025 and he is having criminal antecedent of three cases.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kursela P.S. Case No. 196 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge, Exclusive Special Excise Court No. II, Katihar, subject to the condition that the petitioner shall not indulge himself in similar nature of case in future.

(Ashok Kumar Pandey, J)

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