

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72414 of 2025

Arising Out of PS. Case No.-594 Year-2025 Thana- Excise P.S. District- Jamui

Chaman Kumar Singh S/O late Gagan Singh R/O Village- Samas, P.S.-
Barbigh, Dist.- Sheikhpura, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankita Kumari, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Excise P.S. Case No. 594 of 2025 registered for the alleged offences under Sections 30(a) and 32(3) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, during checking of vehicles, petitioner and co-accused were apprehended with a four wheeler vehicle. On search of the four wheeler vehicle, recovery of 140.220 liters of India made foreign liquor was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person



or possession of the petitioner and the petitioner has no concern with the seized liquor. The mandatory provision of search and seizure has not been followed in the present case and the alleged recovery has been planted upon the petitioner. Learned counsel further submits that the petitioner had been driving the vehicle and was having no knowledge about the consignment kept in the vehicle as the petitioner is not the owner of the said vehicle. The petitioner is in custody since 16.09.2025 and is having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is said to be the driver of the vehicle and further considering the period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Jamui/court concerned in connection with Excise P.S. Case No. 594 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the 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)

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