

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74182 of 2025**

Arising Out of PS. Case No.-546 Year-2025 Thana- Excise P.S. District- Siwan

Ragib Hasan S/o- Late Noor Hasan Resident of Village-Baraut (Kashiram Colony), P.S-Baraut , Dist-Bagpat (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Siwan
Excise P.S. Case No. 546 of 2025 instituted for the offences
under Sections 30(a) and 32(3) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, the police has recovered
total 675 liters of illegal foreign liquor from the Truck. The
petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case merely on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The alleged Truck does not belong to the petitioner. The petitioner is merely a driver by occupation, engaged by the owner of the Truck for transportation work and had no knowledge of the nature of goods loaded in the vehicle, which were sealed and covered at the time of loading. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 02.09.2025 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Siwan Excise P.S.
Case No. 546 of 2025.

(Rudra Prakash Mishra, J)

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