

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73684 of 2025

Arising Out of PS. Case No.-90 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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Sanjeev Kumar @ Sanju Kumar Son of Late Shivnath Mukhiya Resident of
village- Harkaina, Ps- Muffasil, Dist- East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the State : Mr.Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Muffasil P.S. Case No. 90 of 2025 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret information about manufacturing of illicit liquor on some low land. A raid was conducted and some persons fled away from the spot. The local people and chaukidar identified one such person as this petitioner apart from other co-accused persons, who escaped on seeing the police party. Recovery of 15 litres of



country made liquor was made from the spot and 1000 litres of raw materials for manufacturing of illicit liquor were destroyed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the person or possession of the petitioner. Except for the disclosure made by the chaukidar and allegedly by the local people, there is no material against the petitioner to connect him with the offence as alleged. The petitioner is having antecedent of two cases of similar nature and he is on bail in one such cases. The petitioner is in custody since 04.08.2025.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and nothing incriminating has been recovered from the person or possession of the petitioner and further considering the period of custody, 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 Court No. 1, East Champaran
at Motihari/concerned Court in connection with Muffasil P.S.
Case No. 90 of 2025, subject to the conditions mentioned in
Section 480(3) of B.N.S.S. and also 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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