

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74497 of 2025

Arising Out of PS. Case No.-1084 Year-2025 Thana- Excise P.S. District- East Champaran

Sunil Kumar Son of Nami Mahto Resident Of Village - Hirapakad, Ps-
Manuapul, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Ramesh Chandra, APP

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

ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
(Motihari) P.S. Case No. 1084 of 2025 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per prosecution case, the police has recovered
total 69.120 liters of illicit foreign liquor from the Maruti
Suzuki vehicle. The petitioner was arrested on the spot and is
alleged to be the driver of the Maruti Suzuki vehicle.

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. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that the petitioner has no concern with the alleged seized Maruti Suzuki car and has also no nexus with the co-accused Om Prakash Prasad. The petitioner is neither owner nor driver of the alleged Maruti vehicle. The petitioner has never indulged either in manufacturing or trading of the illicit liquor. 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 09.07.2025 without any rhymes 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 Excise (Motihari)
P.S. Case No. 1084 of 2025.

(Rudra Prakash Mishra, J)

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