

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6095 of 2025

Arising Out of PS. Case No.-1046 Year-2024 Thana- Excise P.S. District- Kishanganj

Brij Kishore @ Braj Kishore

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tetara Kumari, Adv

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

4 19-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with Nisedh P.S Case No. 1046 of 2024 registered for the offences punishable under Sections 30(a)/32(3) of the Bihar Prohibition and Excise Act

3. As per allegation in the FIR, total 315 liters of illicit liquor has been recovered from the alleged Bolero vehicle bearing Registration No. WB 73D-9806.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that there is no recovery from the possession of the petitioner rather it was recovered from the vehicle which the petitioner was driving as a driver not as the owner. He further



submits that petitioner is being made escape goat as main culprit is someone else. It is also submitted that petitioner is in judicial custody since 06.09.2024 possesses clean antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 21.10.2024, it appears that nothing was recovered from the conscious possession of the petitioner and he was the driver of the said Bolero vehicle bearing Registration No. WB 73D-9806 so, considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner 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 Judge-Excise-II, Kishanganj in connection with Nisedh P.S Case No. 1046 of 2024.

(Ramesh Chand Malviya, J)

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