

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89876 of 2025

Arising Out of PS. Case No.-3062 Year-2025 Thana- Excise P.S. District- Patna

Ashish Kumar Son of Sushil Kumar Srivastava @ Sushil Kumar Srivastav
Resident of Son Varsha, Ward No. 02, Police Station - Charpokhari, District -
Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-12-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Excise Patna P.S. Case No. 3062 of 2025 for the offence
punishable under Sections 30(a), 41 and 56(b) of the Bihar
Prohibition and Excise Act, as amended upto date.

3. The allegation is of recovery of 120 litres of illicit
country made liquor from an auto bearing Reg. No. BR01PA
5962.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner is innocent and he has
falsely been implicated in this case. Nothing has been recovered
from conscious possession of the petitioner rather recovery is



from an auto bearing Reg. No. BR01PA 5962. He has no concern either with the manufacturing of liquor or its trade in any manner. Petitioner has clean antecedent and he is in custody since 10.11.2025.

5. Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

6. Having heard the rival submissions made on behalf of the parties, as well as, the fact that recovery is from an auto bearing Reg. No. BR01PA 5962, nothing incriminating has been recovered from the conscious possession of the petitioner and the fact that the petitioner is in custody since 10.11.2025, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending in connection with Excise Patna P.S. Case No. 3062 of 2025, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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