

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89652 of 2025

Arising Out of PS. Case No.-295 Year-2025 Thana- BAIRIYA District- West Champaran

Nand Prasad S/O Late Dharmanath Prasad Resident of village- Ramgarhwa
Bazar, P.S.-Ramgarhwa District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mrs.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 23-12-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Bairiya PS. Case No. 295 of 2025 dated 18-07-2025, instituted
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act.

3. The allegation is of recovery of 65.820 litres of
foreign liquor from a Maruti car bearing Registration No. BR-
06AV-1719.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that no incriminating article
has been recovered from the petitioner's conscious possession
or from his house; rather, the alleged liquor was recovered from



the aforesaid Maruti car. It is submitted that one of the persons apprehended at the spot, namely Lalu Yadav who disclosed that the driver of the vehicle was Sunny Kumar, while Bullet Yadav was found sitting in the back of the car. The petitioner was neither apprehended at the spot nor named as an accused in the instant case. It is further submitted that on 14/15.01.2025, the petitioner had exchanged the said Maruti car with Ramkrishna Motors Pvt. Ltd. and purchased a Celerio ZXI (silver) from the same dealer after payment of the remaining amount of Rs. 4,80,000/-. Consequently, the petitioner had no concern with the alleged recovery. The petitioner has been implicated in the present case merely on suspicion that he was the owner of the said car. However, the car in question was exchanged on 14/15.01.2025 and from that date, it was in the possession of Ramkrishna Motors Pvt. Ltd., Zero Mile, Bairiya Road, Muzaffarpur and the petitioner was no longer the owner. The car was intercepted by the police only on 18.07.2025, long after it had been transferred. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court no.1, Bettiah West Champaran, in Bairiya PS. Case No. 295 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023.

(Khatim Reza, J)

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