

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6631 of 2026

Arising Out of PS. Case No.-213 Year-2025 Thana- PUNAURA District- Sitamarhi

Rohit Kumar son of Surendra Mahto Resident of Janki Asthan Nuniya toli,
Gaushala Chowk, Sitamarhi PS and Distt -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dwij Raj

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 31-01-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State, Sri Rabindra Kumar.
2. The petitioner seeks bail in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner has antecedent of two cases under the Excise Act and allegation is of recovery of 246 litres of liquor from an Auto.
4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle and he came to be implicated at the instance of Chowkidar but then it is submitted that if the Chowkidar was aware about the involvement of the petitioner in the occurrence,



then why he did not inform the police prior to institution of the instant FIR, which casts an aspersion on the case of the prosecution. It is also submitted that petitioner is in custody since 12-1-2026. It is further submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of Chowkidar, local person, confessional statement or secret information without holding a proper investigation.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the submission made by learned counsel for the petitioner, let the petitioner, above named, be released 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 trial court where the case is pending/successor court in connection with Punaura P.S. Case No. 213 of 2025.

(Satyavrat Verma, J)

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