

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31421 of 2026

Arising Out of PS. Case No.-852 Year-2025 Thana- SITAMARHI District- Sitamarhi

Bharat Ray Son of Binda Ray Resident of Village- Bariyarpur, Ward No. 37,
P.S.- Sitamarhi, District- Sitamarhi, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Zaki Haider

For the Opposite Party/s : Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 15-05-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
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 petitioner has antecedent of 14 cases out of which 6 cases are under the Excise Act and allegation is of recovery of 315 liters of liquor from a place near the house of the petitioner and 19.50 liters of liquor from a motorcycle.
4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle and even the alleged recovery is



from a place which does not belong to the petitioner, but then is adjacent to his house and and he came to be implicated at the instance of local person, but then it is submitted that if Chowkidar was aware of 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.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 5000/- (Rupees Five 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 Sitamarhi P.S. Case No. 852 of 2025.

(Satyavrat Verma, J)

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