

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10304 of 2025

Arising Out of PS. Case No.-112 Year-2024 Thana- Pothia District- Katihar

Kamlesh Kumar S/o- Vishundeo Yadav R/o- W.No-3, Gosai Tola Ps- Matihani
Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate
For the Opposite Party/s : Mr. Nityanand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-03-2025 Heard Mr. Pritish Kumar Lal, learned counsel for the
petitioner and Mr. Nityanand Tiwary, learned APP for the
State.

2. The petitioner seeks bail in connection with
Pothia PS Case No. 112 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 171
litres of foreign liquor was recovered from Car.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
the present case. No incriminating material has been
recovered from the conscious possession of the petitioner.
The petitioner has got no concern with the alleged recovery



of liquor. It is submitted that petitioner is the driver of the seized vehicle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 14.11.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the 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 Court below/concerned Court in connection with Pothia PS Case No. 112 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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