

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14020 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- RAJAON District- Banka

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Kishan Kumar Son of Late Ashwani Kumar Ray Resident of Sarairanjan,
P.S.-Sarairanjan District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dipak Kumar, Adv.

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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

ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner seeks bail in connection with

Special Excise Case No. 06 of 2025 arising out of Rajoun
(Nawada O.P.) P.S. Case No. 13 of 2025 instituted for the
offences under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

3. As per prosecution case, the police has recovered

total 492.84 liters of illicit foreign liquor from the pick-up
vehicle. The petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has committed no offence as



alleged against him and has falsely been implicated in the present case. The petitioner is alleged to be the driver of the vehicle, in question, and had no knowledge of the illicit liquor being loaded on the alleged vehicle. The petitioner is not the owner of the vehicle. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovered wine. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 07.01.2025 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Special Excise Case No. 06 of 2025 arising out of Rajoun (Nawada O.P.) P.S. Case No. 13 of 2025.

(Rudra Prakash Mishra, J)

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