

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14151 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Dilkhush Kumar, aged about 15 years, Male, Son of Milan Singh, Resident of
Rahimapur, Ward No.-2, P.S.- Biddhupur, District- Vaishali at Hajipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Saurabh Sinha, Advocate
For the Opposite Party : Mr. Jai Narain Thakur, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Hazipur Sadar P.S. Case No. 35 of 2025 dated 17.01.2025 registered for the offences punishable under Sections 274, 275 of B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 720 litres of country made liquor is said to have been recovered from the Tempo.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. No incriminating article has been recovered from his possession. There is no statutory compliance of Section 103



of the B.N.S.S. The petitioner was sitting on the Tempo and he had no knowledge that the illicit liquor was kept in the Tempo. The Tempo does not belong to the petitioner. He has no concern with the alleged offence. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 18.01.2025.

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

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court of Excise No. 1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 35 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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