

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19339 of 2025

Arising Out of PS. Case No.-71 Year-2025 Thana- Daudnagar Excise District- Aurangabad

Vikash Kumar S/o Om Prakash Singh Resident of Village- Sadipur Dihari,
P.S.- Obra, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mukul Kumari, Advocate

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

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

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in G.R. No. 401 of 2025,
arising out of Daudnagar Excise P.S. case No. 71 of 2025
instituted for the offences under Sections 30(a) and 32(3) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 183.750 liters
liquor was recovered from the barn (*Khalihan*).

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



further submitted that recovery is made from a barn (*Khalihan*) which is an open place accessible to one and all. The petitioner is in custody since 01.03.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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, clean antecedent 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 G.R. No. 401 of 2025, arising out of Daudnagar Excise P.S. case No. 71 of 2025.

(Rudra Prakash Mishra, J)

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