

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26034 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- Excise P.S. District- Lakhisarai

Nikku Kumar @ Sumant Kumar S/o Kripashankar Singh @ Kripa Shankar
Singh R/o of Village- Jaitpur, P.S.- Barahiya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

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

ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise (Barahiya) P.S.
case No. 10C2 of 2025 instituted for the offences under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 67.125 liters
liquor was recovered from cow-shed. The petitioner was
arrested on spot.

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 an open place accessible to one and all. The petitioner is in custody since 29.01.2025 and has got three criminal antecedents in which he is on bail in two cases. 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 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 Excise (Barahiya) P.S. case No. 10C2 of 2025.

(Rudra Prakash Mishra, J)

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