

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21626 of 2025

Arising Out of PS. Case No.-105 Year-2025 Thana- Excise P.S. District- Nawada

Dilkhush Kumar Son of Upendra Singh Resident of Village - Kabla, Police
Station - Pakribarawan, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Rita Verma, APP

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

ORAL ORDER

2 07-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Nawada P.S. Case No. 105 of 2025 instituted for the
offences under Sections 30(a) and 47 of the 30(a) of the
Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 45.495 liters of illicit foreign liquor from the car. 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. Learned counsel for the petitioner submits that the petitioner is a daily wage driver and he was asked by one Vikash Kumar to drive the car from Giridih to Bihar Sharif but, in the meantime, he was apprehended by the police. The petitioner is neither owner of the car nor was aware of the liquor being kept in the car. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. 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 20.02.2025 without any rhymes 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 Nawada P.S. Case
No. 105 of 2025.

(Rudra Prakash Mishra, J)

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