

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22100 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Kavi Kumar S/O Premchand Yadav @ Premchandra Yadav Resident of
Village- Matagadha , P.S- Mohanpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Vardhan, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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

ORAL ORDER

2 09-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Sherghati Excise PS Case No. 32 of 2025 instituted for the
offences under Sections 30(a) & 32(c) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 91.89 liters
foreign liquor was recovered from motorcycle.

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. Petitioner is not



the owner of the motorcycle in question, but he was riding the same and he was oblivious of the fact that illicit liquor was laden in the vehicle. The petitioner is in custody since 30-01-2025 and has got one criminal antecedent. There is no compliance of Section 103 of the BNSS, 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 Sherghati Excise PS Case No. 32 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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