

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25037 of 2025**

Arising Out of PS. Case No.-27 Year-2025 Thana- NAWANAGAR District- Buxar

Mallu Kumar @ Anshu Kumar Son of Bhulan Singh Resident of Village -  
Budhaila, P.S.- Nawanagar, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ravi Shankar Pathak, Adv.

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

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

ORAL ORDER

2      23-04-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Nawanagar P.S. Case No. 27 of 2025 instituted for the offences  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered  
total 56.420 liters of illicit English wine from the house of the  
petitioner. 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.  
He further submits that nothing incriminating has been  
recovered from the conscious possession of the petitioner. The



further submits that the house from where the alleged recovery of liquor has been made is a joint house. The petitioner has no concern with the alleged occurrence or 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 10.03.2025 without any rhyme 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 Nawanagar P.S. Case No. 27 of 2025.

**(Rudra Prakash Mishra, J)**

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