

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26889 of 2025

Arising Out of PS. Case No.-199 Year-2025 Thana- Excise P.S. District- Nawada

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Tinku Kumar @ Moti Kumar S/o Late Bhagwan Dash R/o Village- Barham
Pichash, P.S.- Hisua, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

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

ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Nawada Excise P.S. Case No. 199 of 2025, instituted for the
offences punishable under Sections 30(a) and 47 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, total 13.05
liters liquor was recovered out of which 12.300 liters liquor was
recovered from the *gali* adjacent to the house of the petitioner.
The petitioner was apprehended 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. Learned counsel for the petitioner also submits that the alleged recovery has been made from the *gali* adjacent to the house of the petitioner and the same is an open place which is easily accessible to public at large. The petitioner is in custody since 27.03.2025 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nawada Excise P.S. Case No. 199 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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