

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32152 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- KARTAHA District- Vaishali

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Amit Kumar Son of Bambahadur Singh R/O Village - Dhanushi, P.S.-
Kartaha, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kartaha
P.S. Case No. 44 of 2025 instituted for the offences punishable
under Sections 30(a) and 44(2) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 559.26
litres of liquor was recovered from motorcycle as also from
maize field of one Mukesh Kumar.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner rather the recovery has been made



from the maize field of co-accused Mukesh Kumar. Learned counsel further submitted that the name of the petitioner has transpired in this case merely because he happens to be the owner of the vehicle and his motorcycle was parked near the maize field of Mukesh Kumar. The petitioner is in custody since 31.03.2025 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kartaha P.S. Case No. 44 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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