

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35567 of 2025

Arising Out of PS. Case No.-115 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Kamlesh Kumar S/o Ram Prasad Yadav R/o Village- Sawarchak, Tola-
Karma, PS- Sindhugadh, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Excise Sherghati P.S. Case No. 115 of 2025, dated 08.04.2025
instituted for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2018.

3. As per prosecution story, 105.845 liters of foreign
liquor recovered from the house of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. Petitioner has clean antecedent and he is
in custody since 09.04.2025. It is further submitted that no
incriminating article has been recovered from the conscious
possession of the petitioner and petitioner is a member of joint



family and the house is joint house and his agnates are also living in that house.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 03, Gaya, in connection with Excise Sherghati P.S. Case No. 115 of 2025, on further conditions:

(i) One of the bailors should be close relative of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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