

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43180 of 2025

Arising Out of PS. Case No.-415 Year-2025 Thana- Excise P.S. District- Gaya

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Himanshu Kumar S/O Vijay Prasad R/O village- Birney, P.S.- Wazirganj,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 18-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered
under Sections 30(a) and 32(c) of the Bihar Prohibition and
Excise Act.

3. There is recovery of 110 litres country made liquor
from motorcycle of the petitioner and he was apprehended on
the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. Petitioner was passing through the place of occurrence,
however, on the basis of suspicion, he has been apprehended by
the police. Nothing has been recovered from conscious
possession of the petitioner. Petitioner has no concern with the



seized liquor. Charge sheet has already been submitted after investigation and there is no chance of tampering with the evidence or absconding the petitioner. Petitioner is in jail since 20.04.2025 having clean antecedent and he undertakes to cooperate in the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, the submissions of the parties and period of custody, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned I/C Exclusive Special Judge, Excise-3, Gaya in connection with Excise P.S. Case No.415 of 2025.

(Sunil Dutta Mishra, J)

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