

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38118 of 2025

Arising Out of PS. Case No.-330 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

Kamlesh Sah S/o Late Nawal Kishore Sah R/o Village- Parsathuwa, PS-
Kochas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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

ORAL ORDER

2 19-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in P.R. No. 330 of 2025
(arising out of Excise P.S. case No. 330 of 2025) instituted for
the offences under Sections 30(a), 32(i)(iii) and 41(i)(ii) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 396 liters
liquor was recovered from tempo.

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. It is



further submitted that the vehicle in question does not belong to the petitioner. The petitioner is driver of the vehicle and he had no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 11.05.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. 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, clean antecedent 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 P.R. No. 330 of 2025 (arising out of Excise P.S. case No. 330 of 2025).

(Rudra Prakash Mishra, J)

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