

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38154 of 2025

Arising Out of PS. Case No.-157 Year-2025 Thana- PIPRA District- East Champaran

Kamlesh Prasad Son of Daroga Bhagat Resident of Village - Vishunpura, P.S.-
Pipra, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Balgovind Sharma, Adv.

For the Opposite Party/s : Mr.Pronoti Singh, 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 connection with Pipra
P.S. Case No. 157 of 2025 instituted for the offences under
Section 317(5) of the B.N.S. and Sections 30(a), 41(i) of the
Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, the police has recovered
total 90 liters of illicit country-made liquor from the motorcycle.
The petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner. The petitioner is not the owner of the alleged motorcycle. The petitioner has also no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedents and is languishing in judicial custody since 12.04.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Pipra P.S. Case No. 157 of 2025.

(Rudra Prakash Mishra, J)

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