

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46775 of 2025

Arising Out of PS. Case No.-185 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

Kamlesh Kumar Son of Shiv Noiniya @ Shiv Chauhan Resident at Village - Akhiaspur Ward No.- 10, Post - Akhiaspur, P.S.- Bhabhua, District - Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kiran Kumari Sharma, Adv.

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-07-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise P.S. Case No. 185 of 2025 dated 09.03.2025 registered for the offences punishable u/ss 30(a), 32(1) &(3) and 41(1) &(2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 136.725 litres of illicit foreign liquor was recovered from the Tata Indiacar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the seized vehicle. The petitioner is only the driver of the seized vehicle and he has



no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 09.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabhua in connection with Excise P.S. Case No. 185 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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