

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43329 of 2025

Arising Out of PS. Case No.-454 Year-2025 Thana- AGAMKUAN District- Patna

1. Abhishek Kumar S/o- Umesh Lal Village- Badi Chariyari PS-Tharthari Distt- Nalanda
2. Kamlesh Kumar S/o- Indradev Prasad @ Inderdew Prasad @ Indradev Lal Village- Bahadurpur Housing Colony, Sector-3, Block No-3, Flat No-31, Ps- Agamkuan Dist- Patna
3. Harsh Kumar S/o- Sunil Kumar @ Sunil Kumar Singh Village- Bhutnath Road, MIG St. Joseph School, Block NO-7, Flat No-10, Ps- Agamkuan Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Khushi Awadh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Agamkuan P.S. Case No. 454 of 2025 instituted for the offences punishable under Sections 30(a), 32 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 90 litres of liquor was recovered from car.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious



possession of the petitioners. Learned counsel further submitted that petitioner no. 2 is the owner of the vehicle in question. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 10.06.2025. Petitioner no. 1 has one criminal antecedent whereas petitioner no. 2 and 3 have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Agamkuan P.S. Case No. 454 of 2025.

(Rudra Prakash Mishra, J)

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