

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55539 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- PUNAURA District- Sitamarhi

Kamlesh Sah @ Kamlesh Kumar @ Kamesh Kumar S/o Parikshan Sah Vill.-
Punaura Purvi, Ward No. 07, PS- Punaura, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 216 litres of *Nepali*
country made liquor was recovered from an auto bearing Reg.
No. BR06-GD-2660. The driver of auto was managed to flee
away from the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to dirty village politics. Further submission is that
petitioner is neither the owner nor the driver of the seized auto.
Petitioner has no concern with the seized illicit liquor. Nothing
has been recovered from the conscious possession of the



petitioner. There is no independent witness on the seizure list. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-1, Sitamarhi in connection with Punaura P.S. Case No. 22 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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