

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57000 of 2025**

Arising Out of PS. Case No.-153 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Tinku Kushwaha S/O Lalji Kushwaha @ Lalji Prasad R/O Village- Khajuri,  
Purb Tola, P.S- Kuchaikote, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      21-08-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks regular bail in connection with  
Kuchaikote P.S. Case No. 153 of 2025 for the offences  
registered under Section 30(a) of the Bihar Prohibition & Excise  
Act.

3. There is recovery of 432 litre country made liquor  
from four motorcycles.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has falsely been implicated in this  
case at the instance of local Chaukidar due to village politics.  
Petitioner was not present at the place of occurrence. Petitioner  
has no concern with the seized liquor. Nothing has been  
recovered from the conscious possession of the petitioner. There



is no independent witness of the seizure-list which is violation of Section 103 of B.N.S.S. Petitioner has three criminal antecedents, out of which one is of the similar nature. He is in custody since 07.05.2025. Petitioner undertakes to co-operate in the trial. Similarly situated co-accused, namely, Nishant Rai has been granted bail by a Co-ordinate Bench of this Court, vide order dated 08.08.2025 passed in Cr. Misc. No. 54921 of 2025.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties and facts and circumstances of the case, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge IV-cum Exclusive Special Excise Court-II, Gopalganj in connection with Kuchaikote P.S. Case No. 153 of 2025.

**(Sunil Dutta Mishra, J)**

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