

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57306 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- KHAJEKALA District- Patna

Shivam Kumar, S/o Late Karu Rai, R/o - Shish Mahal Hamam Par, Diwan
Mohalla, Dulli Ghat, P.S - Khajekala, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 17-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Khajekalan P.S. Case No.48 of 2025 instituted under Section
30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, on a secret information
that the petitioner kept the illicit liquor in his barren land, police
conducted raid and 12.700 litres of country made mahua liquor
has been recovered from the barren land of petitioner which was
packed in 127 plastic pouch containing 100 ml each. The
petitioner fled away from the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Nothing has been recovered from possession of the



petitioner. Petitioner has no concern with the seized illicit liquor. The seized liquor has been recovered from the barren land which is open and easily accessible by anyone. The petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that the petitioner is a habitual offender involved in illicit liquor business having 09 criminal antecedents of similar nature. Thus, the petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and criminal antecedent of petitioner of similar nature, this Court is not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is rejected.

(Sunil Dutta Mishra, J)

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