

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56458 of 2025**

Arising Out of PS. Case No.-140 Year-2025 Thana- Excise P.S. District- Saran

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Kishan Kumar, S/o Vishwnath Sah, R/o Village- Pakri Bangali, P.S.-  
Mahadeva O.P., District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mani Shankar Mishra, Advocate

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

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

2      21-08-2025                      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 Sadar Excise P.S. Case No. 140 of 2025 registered for the offences punishable u/ss 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 109.680 litres of illicit foreign liquor was recovered from the Tempo. It is alleged that total 34.560 litres of illicit foreign liquor was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the passenger of the seized tempo and



he has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that similarly situated co-accused has already been granted regular bail by a coordinate Bench of this Court vide order dated 12.08.2025 passed in Cr. Misc. No. 55019 of 2025. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 24.06.2025. He undertakes to co-operate in the trial.

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

6. Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran in connection with Sadar Excise P.S. Case No. 140 of 2025.

**(Sunil Dutta Mishra, J)**

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