

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69031 of 2025

Arising Out of PS. Case No.-266 Year-2025 Thana- SAHEBPUR KAMAL District-
Begusarai

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Gautam Kumar S/o Ghanshyam Yadav Resident of Heeratol, Ward No. 2,
P.S.- Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Ankita Kumari, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 11-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sahebpur Kamal P.S. Case No. 266 of 2025, instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 113.715
liters liquor was recovered, out of which 13.875 litres of liquor
was recovered from cowshed of the petitioner and 99.840 litres
of liquor was recovered from the house of petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. Learned counsel for the petitioner further submitted that the recovery has been made from cowshed, which is an open place and is accessible to public at large. The petitioner is not indulged in any kind of manufacturing or trade of any kind of liquor. The petitioner is in custody since 10.09.2025 and has got one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

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

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sahebpur Kamal P.S. Case No. 266 of 2025.

(Rudra Prakash Mishra, J)

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