

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71514 of 2025**

Arising Out of PS. Case No.-44 Year-2024 Thana- KUTUMBA District- Aurangabad

Sharvan Kumar S/o Dhirendra Singh R/o Village - Ibrahimpur, P.S -  
Kutumba, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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

ORAL ORDER

3      15-11-2025      Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with  
Kutumba PS Case No. 44 of 2024 instituted for the offences  
under Section/s 30(a) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that 190.08 liters  
country made liquor was recovered from five motorcycles, out  
of which 34.56 liters liquor was recovered from the petitioner's  
motorcycle.

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. It is submitted that petitioner is the owner of the motorcycle in question and learned counsel goes on to submit that recovery is planted by the police party. The petitioner is in custody since 24.08.2025 and has got two criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kutumba PS Case No. 44 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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