

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75132 of 2025

Arising Out of PS. Case No.-575 Year-2025 Thana- Excise P.S. District- Kishanganj

Gautam Kumar S/O Badri Yadav @ Badri Resident of Village- Piprahi, P.S.-
Ghailadh, Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Adv.

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

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

ORAL ORDER

2 03-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Madya
Nisedh P.S. Case No. 575 of 2025 instituted for the offences
under Sections 30(a) and 32(3) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, the police has recovered
total 276.160 liters of illicit foreign liquor from the car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is not the owner of the alleged vehicle. He further
submits that nothing incriminating has been recovered from the



conscious possession of the petitioner. The petitioner has no concern with the recovered liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 23.09.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Madya Nisedh P.S. Case No. 575 of 2025.

(Rudra Prakash Mishra, J)

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