

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77097 of 2025

Arising Out of PS. Case No.-475 Year-2025 Thana- EXCISE DANAPUR District- Patna

Vishal Kumar Son of Hakim Ray R/O Village - Suarmarwa, P.S.- Maner,
District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 15-11-2025 Heard Mr. Dharendra Prasad Sinha, learned counsel
for the petitioner and Mrs. Renu Kumari, learned APP for the
State.

2. The petitioner seeks bail in connection with Excise
Danapur P.S. Case No. 475 of 2025, instituted for the offences
punishable under Sections 30(a) and 32(3) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 97.92 liters
liquor was recovered from tempo and the petitioner was
apprehended on spot.

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 also submits that the petitioner is not the owner of the tempo in question rather the petitioner took the tempo on remuneration of Rs. 800/- per day and he has got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioner is in custody since 24.08.2025 and has got no 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 Excise Danapur P.S. Case No. 475 of 2025.

(Rudra Prakash Mishra, J)

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