

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79739 of 2025

Arising Out of PS. Case No.-328 Year-2025 Thana- KHAGAUL District- Patna

Amit Kumar S/O Malaji @ Mali Ji R/o - Machhali Gali, Raza Bazar, P.S. -
Shastri Nagar, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Adv
For the Opposite Party/s : Mr. Abhay Kumar, APP

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

ORAL ORDER

2 25-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special
Excise Case No. 2015 of 2025 Khagaul P.S. Case No. 328 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 420 liters of
country made liquor was recovered from Car. Petitioner was
arrested 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 submits that petitioner is not driver of the alleged car and he has no knowledge regarding the the nature of goods kept in the vehicle. The petitioner is in custody since 22.09.2025 and has got clean 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 Special Excise Case No. 2015 of 2025 Khagaul P.S. Case No. 328 of 2025.

(Rudra Prakash Mishra, J)

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