

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79418 of 2025

Arising Out of PS. Case No.-396 Year-2025 Thana- Excise P.S. District- Rohtas

Kamlesh Kumar S/O Awadhesh Chaudhary @ Awadesh Choudhary R/O
Village- Bastipur Kaliasthan, Ward no. 9, P.S.- Indrapuri, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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

ORAL ORDER

2 24-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Case No. 1113 of 2025 arising out of Sasaram Excise P.S. Case
No. 396 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 108 liters of
country made liquor was recovered from passage adjacent to the
shop 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 submits that recovery is made from an open place, which is accessible to one and all. The petitioner is in custody since 10.10.2025 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 Excise Case No. 1113 of 2025 arising out of Sasaram Excise P.S. Case No. 396 of 2025.

(Rudra Prakash Mishra, J)

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