

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81058 of 2025**

Arising Out of PS. Case No.-171 Year-2025 Thana- Lakho District- Begusarai

Munna Kumar S/O Binod Rai @ Birju Rai @ Vinod Roy Resident of Village  
-Dhabouli, P.S- Lakho, District.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amar Kumar Singh, Adv

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

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

ORAL ORDER

2      21-11-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Lakho  
P.S. Case No. 171 of 2025, instituted for the offences punishable  
under Section 30(a), 41(1) and 47 of the Bihar Prohibition and  
Excise Act and 61(2) of the B.N.S.

3. The prosecution case, in short, is that 1399.68 litres  
of foreign liquor was recovered from one co-accused Lalan  
Kumar.

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 recovery is made from one co-accused Lalan Kumar not from the petitioner. The petitioner is in custody since 04.09.2025 and has got five criminal antecedents. Other co-accused has been granted bail by this Court vide order dated 10.11.2025 passed in Cr. Misc. No. 76367 of 2025. 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, ***after framing of charge, if not already framed***, 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 Lakho P.S. Case No. 171 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

krishnakant/-

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