

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82611 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- Excise P.S. District- Madhepura

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Balram Kumar @ Suraj Kumar Son of Jai Prakash Yadav @ Jay Prakash
Yadav Resident of Village- Vishunpur, Ward No. 12, P.S.- Murliganj, District
- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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

ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Madhepura Excise P.S. Case No. 07 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 70 litres of
illegal codeine cough syrup was recovered from Bhushaghar.

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 the bhooshaghar which is an open place and accessible to one and all. The petitioner is in custody since 22.10.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted bail by this Court vide order dated 04.08.2025 passed in Cr. Misc. No. 16467 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. It is submitted that police after completion of investigation has submitted charge sheet under Section 30(a) of the Excise Act.

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 Madhepura Excise P.S. Case No. 07 of 2025.

(Rudra Prakash Mishra, J)

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