

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83637 of 2025

Arising Out of PS. Case No.-585 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Shivam Kumar S/o- Raju Kumar Resident of Village- Mithapur, PS- Beur District-Patna, A/P- Harish Chandra Nagar, Ps- Jakkanpur Dist- Patna
2. Prince Kumar Sharma @ Prince Sharma S/o- Lal Babu Sharma R/v- Mithapur Ps- Beur Dist- Patna, A/P- Khaprail Chak Ps- Parsa Bazar Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Kaimur Excise P.S. case No. 585 of 2025 instituted for the offences under Sections 30(a), 32(i), (iii), 41(i), (ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 416.1 liters liquor was recovered from car and the petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered



from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is further submitted that the petitioners were sitting as passengers in the car and they had no knowledge regarding nature of goods kept in the vehicle. The petitioners are in custody since 20.09.2025 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kaimur Excise P.S. case No. 585 of 2025, subject to the following conditions:

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

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

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