

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3548 of 2026

Arising Out of PS. Case No.-387 Year-2025 Thana- DESARI District- Vaishali

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Kamlesh Rai @ Kamlesh Kumar Rai @Kamkesh Ray @ Kamlesh Ray S/o-
Rama Rai R/v- Ganiyari Ps- Desari Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Pandey, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Desari
PS Case No. 387 of 2025 instituted for the offences under
Section/s 30(a) of the Bihar Prohibition and Excise Act and
Sections 317(5) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 225 liters
liquor was recovered from CNG Tempo.

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 name of the petitioner has surfaced in this case as being passenger of the vehicle in question and he was oblivious of the fact that illicit liquor was laden in the vehicle. The petitioner is in custody since 23.10.2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Desari PS Case No. 387 of 2025

(Rudra Prakash Mishra, J)

Raj Kishore/-

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