

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17352 of 2026

Arising Out of PS. Case No.-90 Year-2025 Thana- PIPRIYA District- Lakhisarai

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Batohi Kumar, S/o Karu Yadav, Resident of village - Pipariya, P.S - Pipariya,
District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmveer, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Pipariya P.S. Case No. 90 of 2025 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.

3. The case of the prosecution, in short, is that from the
bank of Ganga river from a *bathan*, altogether 140 liters of country
made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. Learned
counsel for the petitioner has submitted that as per the case of the
prosecution, three persons started fleeing away and the local
villagers have disclosed the name of this petitioner. Nothing has



been recovered from the possession of this petitioner. The recovery was made from an open place. The *bathan* does not belong to this petitioner. The witnesses of the seizure list are police personnel. Police has not complied Section 105 of B.N.S.S. while making the seizure. Petitioner is languishing in judicial custody since 24.01.2026.

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of four cases. Out of which one is of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VII-cum-Exclusive Special Excise Court-II, Lakhisarai in connection with Pipariya P.S. Case No. 90 of 2025.

(Ashok Kumar Pandey, J)

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