

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23120 of 2026

Arising Out of PS. Case No.-26 Year-2026 Thana- LAURIA District- West Champaran

Kamlesh Kumar Gupta @ Kamlesh Kumar, S/o Late Gopal Prasad, R/o
Village - Lauriya Bazar, Police Station - Lauriya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 274 and 275 of B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short is altogether 16.02 liters of illicit foreign liquor was recovered from a bike.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Nothing has been recovered from his possession. He is not concerned in any way with the bike. It has further been submitted that the witnesses of the seizure list are police personnel. Police has not complied Section 105 of the B.N.S.S. while making the seizure. It has further been submitted that as the petitioner is having criminal antecedent of nine cases, he has been



framed in this case. Petitioner is languishing in judicial custody since 21.02.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that petitioner is having criminal antecedent of nine cases. Out of which, seven are 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 released on bail in connection with Lauriya P.S. Case No. 26 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-II, Bettiah, West Champaran **with the following conditions:-**

(i) Petitioner shall not indulge himself in similar nature of offences in future.

(ii) One of the bailors shall be near relative of the petitioner.

(iii) He shall also mark his attendance weekly at Lauriya P.S.

(Ashok Kumar Pandey, J)

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