

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27604 of 2026

Arising Out of PS. Case No.-769 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

Kamlesh Kumar S/o- Akshaiwar Prasad resident of Village- Mithapur, P.S.
Bhabhua, Dist. Kaimur, Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Shankar Sahay, Advocate Mr. Abhishek Singh Rathaur, Advocate Mr. Rishi Raj, Advocate Mr. Kanhaiya Rao, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-04-2026

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Bhabua Excise P.S. Case no.769 of 2025 registered for the offence punishable under sections 30(a), 32(i)(iii), 41(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a search being conducted, 27 litres of alcohol was recovered and the accused was taken into custody.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered. He is not named in the FIR. He has been falsely implicated in the case only for the



reason that he is the registered owner of the vehicle in question from which the alleged seizure is said to have taken place. No incriminating article has been recovered from his vehicle. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR, no incriminating article having been recovered from the petitioner's possession and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bhabua Excise P.S. Case no.769 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise No.II, Kaimur at Bhabua.

(Partha Sarthy, J)

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