

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87653 of 2025

Arising Out of PS. Case No.-573 Year-2025 Thana- Excise P.S. District- Gaya

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Lalu Kumar @ Vikash Kumar Son of Karu Yadav Resident of Village - Isarwe
Tola Damka, P.S. - Fatehpur, District - Gaya Ji (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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

ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
PS Case No. 573 of 2025 instituted for the offences under
Sections 30(a) and 32(3) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 200
litres of country made liquor was recovered from Auto.

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 the petitioner is neither the driver nor the owner of the seized vehicle. It is next submitted that petitioner was merely passenger in the vehicle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 04.11.2025 and has one criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Case No. 573 of 2025.

(Rudra Prakash Mishra, J)

Siddharth Soni/-

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