

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90458 of 2025

Arising Out of PS. Case No.-1712 Year-2025 Thana- Excise P.S. District- Muzaffarpur

Lalu Kumar S/o Upendra Rai R/o Village - Ishorpur, P.S - Lalganj, District -
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prasoon Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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

ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Utpad/Excise P.S. Case No. 1712 of 2025 instituted for the
offences punishable under Sections 30(a), 32(3), 33 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 180 litres
of liquor was recovered from two motorcycles and one
Mahindra pickup.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted



that petitioner is not the owner of the vehicle. It is further submitted that petitioner is the driver of the Mahindra pickup in question but he had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 24.10.2025 and has six criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Utpad/Excise P.S. Case No. 1712 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or a close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.



(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

(IV) The petitioner shall not commit any offence of a similar nature in future.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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