

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89979 of 2025

Arising Out of PS. Case No.-955 Year-2025 Thana- Excise P.S. District- Jamui

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1. Kamlesh Kumar S/o- Lalu Ray R/v- Mahadaya Ps- Minapur Dist- Muzaffarpur
 2. Raja Kumar S/o- Shambhu Mahto R/v- Madhubani W.No-15, Ps- Minapur Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 19-01-2026 Heard learned counsel for the petitioners and learned
APP for the State. Perused the case diary.

2. The petitioners seek bail in JAM P.S. case No. 955
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 954 liters
liquor was recovered from tractor and both the petitioners were
arrested on spot.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioners. The petitioners



have got no concern with the alleged recovery of liquor. It is further submitted that petitioner No. 1 is driver and petitioner No. 2 is co-driver of the tractor and they had no knowledge regarding the nature of goods kept in vehicle. The petitioners are in custody since 25.10.2025. The petitioner No. 1 has got clean antecedent whereas petitioner No. 2 has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with JAM P.S. case No. 955 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to cancel
the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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