

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.301 of 2026

Arising Out of PS. Case No.-803 Year-2025 Thana- Excise P.S. District- Lakhisarai

Saheb Kumar S/O Banshraj Yadav R/O vill - Singh Chak, Ward no.- 8, P.S -
Kiul, Dist- Lakhisarai

... .. 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.Nand Kumar, APP

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

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Lakhisarai Excise P.S.
case No. 803C2 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 90 liters liquor
was recovered from motorcycle and the petitioner was arrested
on spot.

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 further submitted that petitioner is neither driver nor owner of the motorcycle. The petitioner is in custody since 10.12.2025 and 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 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 on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakhisarai Excise P.S. case No. 803C2 of 2025.

(Rudra Prakash Mishra, J)

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