

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26498 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- Pastpar Pusthi District- Saharsa

Amarnath Kumar S/o Pawan Kumar Sah @ Pawan Sah Resident of Village-
Bardiha, Ward No. 12, P.S.- Jagdishpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan No. II, Adv. Mr. Rajeev Ranjan No.II, Adv. Mrs. Priyanka Kumari, Adv.
For the Opposite Party/s :		Ms. Pronoti Singh, APP

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

ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Pastpar
P.S. Case No. 12 of 2025 instituted for the offences under
Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act,
2022.

3. As per prosecution case, the police has recovered
total 510.66 liters of illicit foreign liquor from the car and
Tractor. The petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case



merely on the basis of suspicion. The petitioner is neither owner nor driver of the alleged seized vehicles. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedents and is languishing in judicial custody since 24.01.2025 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused persons have already been granted bail by this Court vide orders dated 17.04.2025 and 22.04.2025 passed in Cr. Misc. Nos. 23784 of 2025 and 24686 of 2025 respectively.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Pastpar P.S. Case No. 12 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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