

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62292 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- BARGAINIA District- Sitamarhi

Amit Kumar @ Lalu Kumar @ Purushottam Yadav S/o Late Jagat Ray R/o
Village - Masaha Narottam, Ward no. - 10, P. S - Bairgania, District -
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Bairgania P.S. Case No. 161 of 2025 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, petitioner and co-accused were found standing near a bamboo clump, who fled away on seeing the police party. From the search of the bamboo clump, recovery of 833.1 litres of Nepali liquor was made.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. There



is no independent witness to the seizure list. Petitioner has no concern with the seized liquor or the place from where recovery has been shown. Petitioner is having antecedent of 4 cases and he is on bail in all these cases. Petitioner is in custody since 29.07.2025.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Sitamarhi/concerned court in connection with Bairgania P.S. Case No. 161 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court



below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

