

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2296 of 2026

Arising Out of PS. Case No.-3559 Year-2025 Thana- Excise P.S. District- Patna

ASHOK KUMAR JHA @ ASHOK KUMAR Son of Vijay Chaudhary
Resident Chhotka Teghra, P.S.- Maharajganj, District - Siwan, Bihar.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Keshav Bhardwaj, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, A.P.P.

**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 connection with Patna Excise P.S. Case No. 3559 of 2025, instituted for the offences punishable under Sections 30(a), 32(3), 41 and 56(b) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 8400 litres of spirit was recovered, out of which 100 liters of spirit was recovered from Pick-up and 8300 litres of spirit was recovered from godown. Petitioner was arrested on the 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. The petitioner has no concerned with the vehicle or Godown. The petitioner is in



custody since 25.11.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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 Patna Excise P.S. Case No. 3559 of 2025, subject to the following conditions:

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

(II) The petitioner 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 petitioner.

(Rudra Prakash Mishra, J)

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