

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8167 of 2026

Arising Out of PS. Case No.-261 Year-2019 Thana- BAISI District- Purnia

Kamal Hussain, Son of Md. Ismail, Resident of Village- Roushan Bagh,
Hirdayaganj, P.S.- Katihar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Baisi P.S. Case No. 261 of 2019 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a), 41 and 47 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that from a pick-up van, altogether 882 liters of illicit foreign liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this



case. His name has surfaced only on the basis of confessional statement of co-accused Mushil Alam. Save and except the confessional statement of co-accused, there is nothing against him. Nothing has been recovered from his possession. Petitioner is languishing in judicial custody since 09.01.2026.

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of 8 cases of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special, Excise Court No.1, Purnea in connection with Baisi P.S. Case No. 261 of 2019 **with the condition that petitioner shall cooperate in the trial and shall mark his attendance weekly at Narpatganj P.S.**

(Ashok Kumar Pandey, J)

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