

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12490 of 2026

Arising Out of PS. Case No.-4 Year-2026 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Raju Kumar @ Raju Kumar Singh S/o Late Veer Bahadur Singh R/o Village - Sitab Diyar Chain Chhapara, P.S - Ribiganj, District - Chhapra
2. Rahul Kumar S/o Jitan Kumar @ Jeetn Kumar R/o Village - Agamkuan (Agamkunwa), Mahatma Gandhi Nagar, Ward No. 46, P.S - Agamkuan (Agamkunwa), District - Patna
3. Kamlesh Kumar S/o Indradev Prasad R/o Village - Bhootnath Road, Ward No. 46, P.S - Agamkuan (Agamkunwa), District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Khushi Awadh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Kaimur Prohibition & Excise P.S. Case No. 04 of 2026, instituted for the offences punishable under Sections 30(a), 32(i)(iii) and 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 138.240 liters liquor was recovered from pick-up vehicle and the petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners also submitted that petitioner no. 1 is driver and petitioner nos. 2 and 3 are passenger of that vehicle and they have got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioners are in custody since 05.01.2026. Petitioner nos. 1 and 2 have got no criminal antecedent and petitioner no. 3 has got three criminal antecedents. 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 petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kaimur Prohibition & Excise P.S. Case No. 04 of 2026, subject to the following conditions:



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

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

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