

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11603 of 2026

Arising Out of PS. Case No.-253 Year-2025 Thana- KASBA District- Purnia

Samir Kumar S/o Sri Surendra Mohan Thakur Resident of vill- Saraa,
Garhbanaili, P.S- Kasba, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 17-02-2026 Learned counsel for the petitioner seeks permission
to make necessary correction in total quantity of seized liquor
which is mentioned in paragraph no.5 of the bail application.

2. Let the same be done during course of the day.

3. Heard the parties.

4. The petitioner is in custody in connection with
Kasba P.S. Case No. 253 of 2025 dated 02.09.2025, registered
for an offence under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

5. The learned counsel for the petitioner submits
that total 184.620 litres of illicit liquor was recovered from the
Swift Desire car bearing registration no. BR11BD6935 and the
petitioner was not arrested on the spot rather the driving license
of the petitioner was found lying in foot rest near the driving
seat of the car. He further submits that the petitioner is neither



the owner of the car nor any recovery was made from the conscious possession of the petitioner, the petitioner was only the driver of the car but at the relevant time, he was not present at the place of the occurrence. The learned counsel for the petitioner further submits that even the seizure list was prepared in violation of the provisions contained in Section 103 of the BNSS, since no witnesses have come forward to support the prosecution case. He further submits that the petitioner has got five criminal antecedents out of which four cases are of similar nature and he is in judicial custody since 10.12.2025.

6. The learned A.P.P. for the State opposes the prayer for bail of the petitioner vehemently and submits that five criminal cases are pending against the petitioner out of which four cases are of similar nature.

7. Having heard the learned counsel for the parties, I find that the petitioner is an accused of five criminal cases, out of which four are of similar nature and he is in judicial custody since 10.12.2025. Accordingly, the prayer for bail of the petitioner is rejected with the liberty to file bail application after framing of the charge.

(Ritesh Kumar, J)

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