

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12433 of 2026

Arising Out of PS. Case No.-501 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

1. Birju Kumar S/O Jalandhar Paswan
2. Jitendra Paswan S/O Late Fulandhar Paswan
Both R/O Giniyari, Ward No.10, P.S.- Sakara, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-04-2026 Heard Mr.Krishna Kant Singh, learned counsel for the petitioners and Mr.Dr. Kumar Uday Pratap, learned A.P.P. for the State.

2. The petitioners seek bail, who are in custody since 16.11.2025 in connection with Kuchaikot P.S. Case No. 501 of 2025, F.I.R. dated 15.11.2025 registered for the offence punishable under Sections 30(a),32(2) & 41 of Bihar Prohibition and Excise Amendment Act, 2018.

3. Recovery is of 5019.480 liters of foreign liquor.

4. Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. Further submits that it appears from the FIR as well as the seizure list that nothing has been recovered from conscious possession of



the petitioner rather the recovery has been made from the Truck in question and petitioners are not the owner of the Truck in question and petitioners have no concern at all with the alleged recovery of illicit liquor and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 16.11.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and petitioners have clean antecedent, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned D.A.J.-IV-cum-Special Judge Excise-II, Gopalganj in connection with Kuchaikot P.S. Case No. 501 of 2025, with the following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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