

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16096 of 2026

Arising Out of PS. Case No.-18 Year-2026 Thana- Excise P.S. District- Aurangabad

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1. Aman Kumar S/o Dadan Singh R/o Village- Amilauna, P.S.- Jamhore, Distt.- Aurangabad
 2. Prince Kumar S/o Uday Yadav @ Uday Singh R/o vill- Tendua, P.S.- Jamhore, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-03-2026 Heard Ms. Mukul Kumari, learned counsel for the petitioners and Mr. Pradeep Narain Kumar, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who is in custody since 07.01.2026 in connection with Excise P.S. Case No. 18 of 2026, F.I.R. dated 06.01.2026 for the offences punishable under Section 30(a), 32(3) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 184.400 liters of illicit liquor.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. She further submits that it appears from the



F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioners rather the recovery has been made from pick-up van in question and petitioners have been made accused merely on the basis that petitioner no.2 is said to be driver of the said vehicle and petitioner no.1 was found sitting on the same. She further submits that there is non-compliance of Section 103 of BNSS and the petitioners are in custody since 07.01.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and petitioner no.2 carries two criminal antecedent others than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner no.2 is on bail in the said matters whereas petitioner no.1 has clean antecedent

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-II, Aurangabad in connection with Excise P.S. Case No. 18 of 2026, subject to 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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