

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16416 of 2026

Arising Out of PS. Case No.-29 Year-2026 Thana- BAISI District- Purnia

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HIMANSHU KUMAR S/O SIKANDAR YADAV R/V- DHURGAUN
WARD NO. 01, P.S.- BHARRAHI, DIST.- MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate
		Ms. Divya Bharti, Advocate
For the Opposite Party/s :		Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a car, altogether 297.840 liters of country made liquor was recovered. As per the case of the prosecution, there were two persons in the said car who started fleeing away but later on this petitioner was apprehended.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been



recovered from the conscious possession of the petitioner. He has been falsely implicated in this case. Petitioner is neither the driver nor the owner of the said vehicle. He has no knowledge regarding the alleged recovery. The witnesses of the seizure list are police personnel and police has not complied Section 105 of BNSS while preparing seizure. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 20.01.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

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 released on bail in connection with Baisi P.S. Case No. 29 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-01, Purnea.

(Ashok Kumar Pandey, J)

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