

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21461 of 2026

Arising Out of PS. Case No.-600 Year-2025 Thana- KATEYA District- Gopalganj

Suchit Kushwaha @ Sujit Kushwaha, Son of Jitendra Kushwaha @ Jitendra Bhagat, R/o Village - Rainpur(Ranipur), Ward no. 02, P.S. - Kateya, Dist. - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Ranjan, Advocate

For the Opposite Party/s : Ms.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-04-2026 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) and 41(1) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution, in short is that altogether 41 liters of illicit liquor was recovered from a bike. It is alleged that the biker managed to flee away. Local chukidar has named this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Nothing has been recovered from his possession. He is not the owner of the bike. It has further been submitted that the witnesses of the seizure list are police personnel. Police has not complied Section 105 of the B.N.S.S.



while making the seizure. Petitioner is languishing in judicial custody since 21.01.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that petitioner is having criminal antecedent of six cases of similar nature.

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 Kateya P.S. Case No. 600 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-XIII-cum-Special Judge, Excise-I, Gopalganj **with the following condition:-**

(i) Petitioner shall cooperate in the trial and shall remain physically present on each and every date in the learned trial Court.

(ii) He shall not indulge himself in similar nature of the offences in future.

(Ashok Kumar Pandey, J)

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