

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21455 of 2026

Arising Out of PS. Case No.-21 Year-2026 Thana- Excise Jhanjharpur District- Madhubani

1. Nitish Kumar Kamat @ Nitish Kumar, S/o Late Narayan Kamat, R/o Village- Dhobirai, P.S.- Laukahi, Distt.- Madhubani
2. Krishnadev Kumar Yadav @ Krishndev Yadav, S/O Rajendra Yadav, R/O Village- Mansapur, P.S.- Laukahi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under Sections 30 (a), 32(1) and 32(3) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from the Scorpio vehicle, altogether 936 liters of Nepali country made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. Learned counsel for the petitioners has submitted that as per the case of the prosecution, one man managed to flee away who



was owner of the vehicle. Petitioners are not concerned in any way with the vehicle and liquor. Nothing has been recovered from their possession. 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. They are having no criminal antecedent and they are in in judicial custody since 29.01.2026.

5. Learned APP appearing for the State has vehemently opposed the application for 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 petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise Act), Jhanjharpur, Madhubani in connection with Excise Jhanjharpur P.S. Case No. 21 of 2026.

(Ashok Kumar Pandey, J)

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