

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22169 of 2026

Arising Out of PS. Case No.-33 Year-2026 Thana- DEV District- Aurangabad

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1. Gulam @ Gulam Ansari S/o Asgar Ansari R/o- Alipur, P.S.- Chhatarpur, District- Palamu (Jharkhand)
 2. Khursat @ Khursat Shamim @ Badsah S/o Md. Khalil Akhtar R/o Mandeya, P.S.- Chhatarpur, District- Palamu (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 09-04-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with G.R.
No. 78 of 2026 arising out of Deo P.S. Case No. 33 of 2026
registered for the offence under Sections 317(5) of the BNS and
under Section 30(a), 34, 36 of the Bihar Prohibition of Excise
Amendment Act.

3. As per the prosecution case, the recovery is of 640
liters of spirit from one Momtaz Khan.

4. The petitioner is in custody since 06.02.2026.

5. The petitioners have been arrested and they have
been found to be involved in the alleged crime. One of the



petitioner was acting as liner of Momtaz Khan and other petitioner has been found to be involved in the crime.

6. Considering the recovery of the illegal spirit which was to be used in the manufacturing of illicit liquor causing the death of a large number of persons, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this application stands dismissed.

8. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not expressed any opinion on the merits of the case.

(Sandeep Kumar, J)

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