

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23751 of 2026

Arising Out of PS. Case No.-76 Year-2026 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Jitendra Kumar Son of Jamwant Singh Resident of village- Bhokhri Ps- Mohania, Dist- Kaimur
2. Amit Kumar son of Surendra Singh Resident Of Village - usraw, Ps- Dinara, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aquaib Khan, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-04-2026 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), (3), 41 and (1) (2) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a vehicle altogether 252 liters of country made liquor was recovered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Learned counsel for the petitioners has submitted that nothing has been recovered from the possession of the petitioners.



Learned counsel has submitted that petitioners are merely a driver and a co-driver of the alleged vehicle and they are unaware of the alleged consignment of illicit liquor which was kept in the vehicle. The witnesses of the seizure list are police personnel and police has not complied Section 105 of BNSS while preparing seizure list. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 12.02.2026.

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 petitioners on bail. The above named petitioners are directed to be released on bail in connection with Bhabhua Excise P.S. Case No. 76 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise)-I, Kaimur at Bhabhua.

(Ashok Kumar Pandey, J)

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