

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24816 of 2026

Arising Out of PS. Case No.-253 Year-2025 Thana- KASBA District- Purnia

Samir Kumar Son of Sri Surendra Mohan Thakur Resident of Village- Sarra,
Garhbanaili, P.S.- Kasba, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

4 08-05-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is in custody in connection with Kasba P.S. Case No. 253 of 2025, registered for an offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

3. The learned counsel for the petitioner submits that total 184.620 litres of illicit liquor was recovered from the Swift Desire car bearing registration no. BR11BD6935 and the petitioner was not arrested on the spot rather the driving license of the petitioner was found lying in foot rest near the driving seat of the car. He further submits that the petitioner is neither the owner of the car nor any recovery was made from the conscious possession of the petitioner, the petitioner was only



the driver of the car but at the relevant time, he was not present at the place of the occurrence. The learned counsel for the petitioner further submits that even the seizure list was prepared in violation of the provisions contained in Section 103 of the BNSS, since no witnesses have come forward to support the prosecution case. He further submits that the petitioner has got five criminal antecedents out of which four cases are of similar nature and he is in judicial custody since 10.12.2025.

4. The learned A.P.P. for the State opposes the prayer for bail of the petitioner vehemently and submits that five criminal cases are pending against the petitioner out of which four cases are of similar nature.

5. Having heard the parties and after going through the records, it appears that the bail of the petitioner was earlier rejected by this Court vide order dated 17.02.2026, with a liberty to the petitioner to file the bail application after framing of the charge. As per the averments made in paragraph no.20 of the present bail petition, the charge was already framed on 31.01.2026. Further, recovery is to the tune of Rs.184.620 litres of illicit liquor. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on bail and accordingly the petitioner is directed to be released on bail on



furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Excise-01), Purnea in connection with Kasba P.S. Case No. 253 of 2025, with the following condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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