

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24943 of 2026

Arising Out of PS. Case No.-59 Year-2026 Thana- HISUWA District- Nawada

1. Kamlesh Singh son of Late Saket Singh, Resident of Village -Barhauna, PS-Hisua, Distt- Nawada.
2. Amit Kumar @ Ritesh Singh @ Ritesh Kumar son of Balmiki Singh, Resident of Village -Barhauna, PS- Hisua, Distt- Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Vibhuti Ranjan Sonvadra, Advocate
For the State	:	Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-04-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Hisua P.S. Case No. 59 of 2026, dated 03.02.2026, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, police received information about petitioners and co-accused Bablu selling illicit country made mahua liquor near a '*paien*' (lowland). A raid was conducted and three persons fled away from the spot on seeing the police party. From search of the premises, recovery of 285 litres of illicit country made liquor was made. The villagers



disclosed the name of the petitioners and other co-accused who made good their escape.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in this case. Nothing incriminating has been recovered from the persons or possession of the petitioners, who have been named in this case due to enmity of the villagers. Furthermore, the recovery has been made from an open place which is accessible to one and all. Petitioner no. 1 is having clean antecedent while petitioner no. 2 is having antecedent of one case.

5. Learned APP opposes the submissions made on behalf of the petitioners and submits that petitioner no. 2 is having antecedent of one case which is of similar nature.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioners and further considering the absence of substantive material to show their complicity in the alleged offence, let the petitioners, above-named, in the event of their arrest or surrender before the Court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-I, Nawada, in connection with **Hisua P.S. Case No. 59 of 2026**, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the Court below, if so required by the learned trial Court.

(Arun Kumar Jha, J)

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