

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24859 of 2026

Arising Out of PS. Case No.-45 Year-2026 Thana- BARHARA District- Bhojpur

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Biteshwar Kumar S/O Ganesh Sah @ Ganesh Saw R/O Village- Gonwan, P.S-
Naubatpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Barhara P.S. Case No. 45 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3.The case of the prosecution, in short, is that from a Ford car altogether, 123.84 liters of illicit foreign liquor were recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that the petitioner is merely a driver of the said car and he was having no knowledge regarding the alleged



liquor kept in the car. He also submits that nothing has been recovered from the possession of the petitioner. The witnesses of the seizure lists are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. Moreover, the petitioner is languishing in judicial custody since 23.02.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner has criminal antecedent of one case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Bhojpur at Ara in connection with Barhara P.S. Case No. 45 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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