

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28319 of 2026

Arising Out of PS. Case No.-221 Year-2026 Thana- Excise P.S. District- Jamui

1. Akash Pandey @ Akash Kumar Pandey S/O Balmukund Pandey R/O Village- Mohanpur, P.S- Pachama, Dist.- Giridih, Jharkhand.
2. Rajkumar Paswan S/O Late Baiju Paswan R/O Village- Bhandaridih, P.S.- Pachama, Distt.- Giridih, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-05-2026 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) and 32(3) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a car, altogether 243 liters illicit foreign 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. They are merely driver and co-driver of the said car respectively.



They were having no information regarding the alleged consignment and they have no concern with the alleged recovery. There is no independent witness of the seizure list rather they are police personnel and police has not complied Section 105 of BNSS while preparing the 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 06.02.2026.

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 Jam P.S. Case No. 221 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 Excise Court No. II, Jamui.

(Ashok Kumar Pandey, J)

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