

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25693 of 2026

Arising Out of PS. Case No.-25 Year-2026 Thana- KANHAULI District- Sitamarhi

Khushi Kumar S/O Ramgir Rai Resident Of Village- Ramnagara, Ward No 11, P.S- Kanhauli, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Kanhauli P.S. Case No. 25 of 2026 registered for the alleged offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received information about petitioner and co-accused bringing illicit liquor from Nepal and keeping it at some identified place. A raid was conducted and two persons tried to run away after getting down from a four wheeler vehicle. The petitioner was apprehended and the other co-accused fled away taking advantage of darkness. On search of the vehicle, recovery of 692.64 liters of illicit liquor of country made as well as foreign



liquor was made.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the vehicle from which recovery has been made. The petitioner was merely a passerby who was apprehended on the basis of suspicion. There is no independent witness to the seizure list. Learned counsel further submits that the petitioner is having clean antecedent and is in custody since 26.02.2026.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation and also considering the period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Act-I, Sitamarhi/court concerned in connection with Kanhauli P.S. Case No. 25 of 2026, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:



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

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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