

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26668 of 2026

Arising Out of PS. Case No.-161 Year-2026 Thana- Excise P.S. District- Nawada

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Vishal Kumar S/o Karamveer Prasad Resident Of Village- Roh, Ward No 8,
Ps- Roh, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 21-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Excise P.S. Case No.161 of 2026 registered for the offence punishable under Sections 30(a), 41 and 47 of the Excise Act.

3. The case of the prosecution, in short, is that from a vehicle altogether 67.5 liters of illicit foreign country made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is driver of the vehicle. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. Learned counsel for the petitioner has further submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure.



Learned counsel for the petitioner has further submitted that the petitioner is languishing in judicial custody since 14.02.2026.

5. The application for bail is opposed by learned APP for the State. Learned APP has further submitted that the petitioner is having criminal antecedent of six cases of similar nature.

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 *with the condition that the petitioner shall co-operate in the trial and shall not indulge in similar nature of offences in future.* 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 court of learned Exclusive Special Court, Excise-2, Nawada in connection with Excise P.S. Case No.161 of 2026.

(Ashok Kumar Pandey, J)

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