

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29446 of 2026

Arising Out of PS. Case No.-44 Year-2026 Thana- PHULWARIYA District- Gopalganj

1. Amit Kumar S/O Devendra Prasad R/O Sakin Hira Pakad, P.s.- Yadopur, Dist.- Gopalganj.
2. Mithilesh Kumar S/O Taichun Nat R/O Sakin- Gopalganj, P.s.- Gopalganj, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Adv.

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 11-05-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The present application has been filed seeking regular bail in connection with Phulwariya P.S. Case No. 44 of 2026, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the petitioners are alleged to have been transporting 310.725 litres of illicit liquor in a Maruti Car. The petitioners are in custody since 23.02.2026 and claims clean antecedents.

4. Learned counsel for the petitioners submits that the petitioners undertakes to donate a sum of Rs. 25,000/- (Rupees



Twenty-Five Thousand Only) each to a charitable organization, without prejudice to his defence and without admitting guilt.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, the period of custody and the submissions advanced on behalf of the parties, the application for bail is allowed.

7. Accordingly, the petitioners are directed to 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 the learned Court concerned where the case is pending/successor court in connection with Phulwariya P.S. Case No. 44 of 2026, subject to the following conditions:-

(i) The petitioners shall deposit a sum of Rs. 25,000/- (Rupees Twenty-Five Thousand Only) each with Latu Maharaj Path, Opp. Circuit House, Chapra, Bihar and shall produce a valid receipt thereof before the court below. The bail bonds shall be accepted only after verification of the genuineness of the said receipt.

(ii) The petitioner no. 1 shall mark his attendance at Yadopur Police Station and petitioner no. 2 shall mark his attendance at Gopalganj Police Station on every Sunday of each



month. In the event of default, the bail bonds shall be liable to be cancelled.

(iii) At the time of acceptance of bail bonds, the court below shall verify the antecedents of the petitioners. The bail bonds shall be accepted only upon confirmation that the petitioners have no criminal antecedents. However, such verification shall not be used as a ground to unnecessarily delay acceptance of the bail bonds.

(Sandeep Kumar, J)

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