

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29310 of 2026

Arising Out of PS. Case No.-60 Year-2026 Thana- BARUN District- Aurangabad

Prem Kumar Son of Baban Singh @ Babanji Singh Resident of Village-
Mohammadganj, P.S.- Mohammadganj, District- Palamu (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. The State of Bihar Advocate General Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2026 Heard Mr. Binod Kumar Pandey, learned counsel
for the petitioner and Mr. Pronoti Singh, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.02.2026 in connection with Barun P.S. Case No. 60 of 2026,
F.I.R. dated 04.02.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 63 liters of country made liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather the recovery has



been made from vehicle in question and the petitioner has no role at all in the present occurrence and the co-accused person, namely, Prabhakar Kumar, who was apprehended on the spot has been granted the privilege of bail by the co-ordinate Bench of this Court vide order dated 07.04.2026 in Cr. Misc. No. 22671 of 2026. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 04.02.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries five criminal antecedent other than the present one but fairly submits on the basis of supplementary affidavit filed on behalf of the petitioner that the petitioner is on bail in the said matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J-cum-Exclusive Special Court No.1, Aurangabad in connection with Barun P.S. Case No. 60 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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