

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28206 of 2026

Arising Out of PS. Case No.-403 Year-2026 Thana- Excise P.S. District- Bhagalpur

Sonu Kumar, S/o- Shambhu Thakur, Resident of Acharya Tola Pakra, Ward
No. 03, P.S.- Naugachia, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short is that from a vehicle, altogether 297 liters of illicit foreign liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He is merely a driver of the said vehicle. He was unaware of the consignment. Nothing has been recovered from his possession. It has further been submitted that the witnesses of the seizure list are police personnel. Police



has not complied Section 105 of the B.N.S.S. while making the seizure. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 12.03.2026.

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 petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise (Sadar) P.S. Case No. 403 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Bhagalpur.

(Ashok Kumar Pandey, J)

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