

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28599 of 2026**

Arising Out of PS. Case No.-51 Year-2026 Thana- ATHMALGOLA District- Patna

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Sujay Kumar @ Sushant Kumar son of Guddu Rai @ Guddu Ray Resident Of  
Village- Dakshinichak Ps- Athmalgola Dist -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Abhilasha Kumari, Advocate

Mr. Anmol Kumar, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      06-05-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Athmalgola P.S. Case no.51 of 2026 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 46.25 litres of IMFL was recovered from the tempo being driven by the petitioner and the vehicle is said to be owned by the father of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession or from his tempo. He is in custody since 21.2.2026 and has no



criminal antecedent.

5. The application for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, his having remained in custody since 21.2.2026 and especially the petitioner not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Athmalgola P.S. Case no.51 of 2026 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge, Barh, District-Patna on the following condition :

(i) In case it transpires that the petitioner has antecedent under the Bihar Prohibition and Excise Act, 2016, the prosecution will be at liberty to move this Court for cancellation of bail granted to the petitioner.

**(Partha Sarthy, J)**

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