

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29129 of 2026

Arising Out of PS. Case No.-147 Year-2026 Thana- Excise P.S. District- Gopalganj

1. Pawan Kumar @ Pawan Kumar Gupta S/o Late Ramashish Prasad Resident of Mohalla- New Area Ashok Nagar, Kumharar, P.S.- Agamkaunwa, District- Patna,
2. Shubham Kumar S/o Nagendra Prasad Resident of Mohalla- New Area Ashok Nagar, Kumharar, P.S.- Agamkaunwa, District- Patna,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 22-06-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Gopalganj Excise P.S. Case No. 147 of 2026 registered for the offence punishable under Sections 30(a) and 32 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that from a car, altogether 184.320 liters of illicit foreign liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. He also submits that petitioner no. 1 is the driver and petitioner no. 2 is the co-passenger in the said car. He further



submits that nothing has been recovered from the possession of these petitioners. The witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He further submits that the petitioners are unaware of the alleged liquor kept in the said car. Moreover, the petitioners are languishing in judicial custody since 16.02.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner no. 1 is having criminal antecedent of one case whereas petitioner no. 2 has got no criminal antecedent.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise-II, Gopalganj in connection with Gopalganj Excise P.S. Case No. 147 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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