

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29312 of 2026

Arising Out of PS. Case No.-46 Year-2026 Thana- Excise Mashrakh District- Saran

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Amit Kumar S/O Nivedan Ray R/O Village- Raghapur ward no. 07, P.S-
Jurawanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Chetna, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-05-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Mashrakh Excise P.S. Case no. 46 of 2026 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 32.04 litres of IMFL was recovered from the possession of the petitioner and he was taken into custody.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession. He has been falsely implicated in the case. He is in custody since 6.4.2026 and has no criminal antecedent. He undertakes to cooperate in the investigation/trial.



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

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR, the petitioner having remained in custody since 6.4.2026 and specially his not having any antecedent under the Bihar Prohibition and Excise Act, 2016, the Court directs the petitioner to be enlarged on bail in connection with Mashrakh Excise P.S. Case no. 46 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 3rd Exclusive Special Excise Court, Saran at Chapra on the following condition:

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

(Partha Sarthy, J)

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