

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29506 of 2026

Arising Out of PS. Case No.-34 Year-2025 Thana- SUKHANI District- Kishanganj

Gaurav Kumar @ Gaurav Kumar Jha S/o Shubhash Kumar Jha R/o Village -
Bisanpur Deohri, Ward No.- 15, P.S - Dhamdaha, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-05-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.
2. The petitioner seeks bail in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases out of which one case is under the Excise Act and allegation is of recovery of 841.650 liters of liquor from a pick up vehicle.
4. Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle and came to be implicated based on confessional statement of apprehended accused in police



custody which does not have any evidentiary value. It is next submitted that after amendment in the excise act in the year 2018, the concept of deemed possession and presumed offender has been done away with. It is also submitted that petitioner is in custody since 24.03.2026.

5. Learned A.P.P. for the State opposes the bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Sukhani P.S. Case No. 34 of 2025.

(Satyavrat Verma, J)

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