

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30475 of 2026

Arising Out of PS. Case No.-83 Year-2026 Thana- Excise P.S. District- Araria

Ashish Kumar, S/o Kuldeep Yadav, R/o village- Laxmipur, Post - Nawabganj,
P.S.- Fulkaha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Araria Excise P.S. Case No. 83 of 2026 registered for the alleged offence under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, SSB patrolling team found two persons on two motorcycles coming from Nepal to India, who tried to flee away on seeing the SSB Team. The first motorcycle rider was apprehended and second motorcycle rider fled away leaving behind his motorcycle. On seizure of the motorcycle of the apprehended person, the petitioner herein, recovery of 114 liters of country made Nepali liquor was made. On search of the motorcycle left behind by the co-accused,



recovery of 81 liters of country made Nepali liquor was made.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of the petitioner. The recovery has been made from the motorcycle bearing registration no. BR-50S-7647, but the said motorcycle does not belong to this petitioner. The petitioner has been made accused merely on suspicion. The petitioner is in custody since 03.03.2026 and is having clean antecedents. The charge sheet has been submitted.

5. Learned APP for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner, his clean antecedents and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-II, Araria/court concerned in connection with Araria Excise P.S. Case No. 83 of 2026, subject to the conditions mentioned in Section 480(3) of BNSS and the following



conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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