

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33784 of 2026

Arising Out of PS. Case No.-27 Year-2026 Thana- KANHAULI District- Sitamarhi

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Lalbabu Ansari, Male aged about 27 years, Son of Mohammad Sulman Ansari
@ Suleman Ansari, Resident o f Village - Itharwa, P.O.- Bagaha, P.S. -
Kanhauli, District – Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner seeks bail in connection with
Kanhauli P.S. Case No. 27 of 2026 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition Excise
(Amendment) Act, 2022.

3. As per allegation in FIR total 117 liters of illegal
Nepali liquor has been recovered from four gunny bags.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of mere
suspicion. He submits that the recovery of illicit Nepalese liquor
has been recovered from four gunny bags but the petitioner has
no concern with the alleged recovery. He further submits that



there is no independent witness of the alleged seizure list. He next submits that during investigation no clinching, corroborative and concrete evidence has been surfaced in the present case to substantiate the case of the prosecution. He lastly submits that seizure list witnesses are none else than the member of raiding party. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 03.03.2026.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR and impugned order of the learned Exclusive Excise Court No. 1, Sitamarhi dated 24.03.2026, it appears that petitioner is named in the FIR and his name transpired in this case during the course of investigation on the basis of suspicion. From perusal of records, it appears that on the basis of written report of the informant, FIR has been registered under Section 30(a) of the Bihar Prohibition Excise (Amendment) Act, 2022 against the present petitioner and the allegation is of 117 liters of illegal Nepalese liquor has been recovered. There is no any independent witness of the seizure list. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 03.03.2026, so considering all these aspects of the case and submission of the



learned counsel of the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-1, Sitamarhi / Successor Court in connection with Kanhauli P.S. Case No. 27 of 2026.

(Ramesh Chand Malviya, J)

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