

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30856 of 2026

Arising Out of PS. Case No.-21 Year-2026 Thana- KUWARI District- Araria

Md. Amir Alam @ Amir Khan @ Amir S/O Md. Moim R/O Vill.- Pahunsi,
Ward no. 1, P.S.- Kuwari, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a) and 41 of the Bihar Prohibition and Excise Act and Sections 317(2), (5), 338, 336(3) of BNS.

3. The case of the prosecution is that from a motorcycle, altogether 81 liters of illicit liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. Learned counsel has submitted that the witnesses of the seizure list are police personnel and police has not complied Section 105 of BNSS



while preparing seizure list. He has also submitted that the bike does not belong to the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 02.03.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kuwari P.S. Case No. 21 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-cum-Exclusive Special Judge Excise-II, Araria.

(Ashok Kumar Pandey, J)

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