

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31821 of 2026

Arising Out of PS. Case No.-312 Year-2026 Thana- BHAGWAN BAZAR District- Saran

Nilesh Kumar @ Nilesh Ray S/o- Ramesh Ray @ Ramesh Rai R/o Village-
Ajaybganj P.S. Bhagwan Bazar District-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raushan Raj

For the Opposite Party/s : Mr.Md. Nazir Ansari

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.

02. In the present case, the petitioner seeks bail in connection with Bhagwan Bazar P.S. Case No. 312 of 2026 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, the petitioner and other co-accused persons were found carrying 21 litres of foreign liquor on a motorcycle when both of them were apprehended by the police party.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and nothing incriminating has been recovered from his



person or possession. The seizure list witnesses are police officials and there is violation of mandatory provisions of BNSS. The alleged recovery has been shown from the motorcycle but the said motorcycle does not belong to the petitioner. The petitioner is having antecedent of three cases and he is on bail in all the cases. The petitioner is in custody since 10.04.2026.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner is having antecedent of three cases and two cases are of similar nature.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of liquor recovered and period of custody of the petitioner, 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 1st Exclusive Special Excise Judge, Saran at Chapra /concerned Court in connection with Bhagwan Bazar P.S. Case No. 312 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also 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)

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