

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31448 of 2026

Arising Out of PS. Case No.-179 Year-2026 Thana- Excise P.S. District- Kaimur (Bhabua)

Arvind Kumar S/O Late Nagendra Prasad R/O Vill.- Ghushiya Khurd, Post-
Ghushiya Kala, P.s.- Vikramganj, Dist.- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashutosh Kumar Pandey
	:	Mr. Parth Gaurav
For the Opposite Party/s	:	Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2026 Heard Mr. Ashutosh Kumar Pandey, learned counsel
for the petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.04.2026 in connection with Excise Kaimur P.S. Case No. 179
of 2026 for the offences punishable under Sections 30(a), 32(i)
(iii) and 41(i)(ii) of the Bihar Prohibition and Excise
Amendment Act.

3. The case of the prosecution, in short, is that the
allegation against the petitioners/ is of recovery of 34.560 liters
of illegal liquor from the cartoon tied on the rear seat of the
motorcycle.

4. Learned counsel for the petitioner submits that it



appears from the FIR and seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the motorcycle in question and petitioner is not the owner of the motorcycle in question. It is next submitted that the petitioner has been made an accused in this case merely on the basis of suspicion and except the aforesaid nothing has come to suggest the involvement of the petitioner with the present occurrence and petitioner is in custody since 11.04.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of three cases other than the present case but fairly submits that petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Exclusive Special Judge, Excise-II, Kaimur at Bhabhua in connection with Excise Kaimur P.S. Case No. 179 of 2026, subject to the following conditions:-

- i. Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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