

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34393 of 2026

Arising Out of PS. Case No.-2276 Year-2026 Thana- Excise P.S. District- Patna

1. Nitish Kumar S/o Amarnath Rai Resident of Rajasan, P.S.- Vidupur, District- Vaishali
2. Santosh Kumar S/o Kishandev Rai R/o Marufganj, Patthar Ghat, P.S.- Malsalami, District- Patna
3. Randheer Kumar S/o Suresh Rai R/o Chandpura, P.S.- Raghapur, District- Vaishali
4. Pintu Kumar @ Nanki Kumar S/o Vishun Rai R/o Marufganj, Patthar Ghat, P.S.- Malsalami, District- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Rai, Advocate.

For the Opposite Party/s : Mr. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 19-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in connection with Excise(Patna) P.S. Case No. 2276 of 2026 registered under Sections 30(a), 41 & 56(b) of Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that from a Motor Boat altogether 800 litres of illicit country made liquor was recovered.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioners were called by one co-accused Suraj Kumar for unloading the same. The petitioners were not knowing regarding the illicit liquor. Petitioners were neither the driver nor the owner of the said vehicle and nothing has been recovered from the possession of the petitioners. Learned counsel for the petitioners has further submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. Learned counsel for the petitioners has further submitted that the petitioners have got no criminal antecedent. They are in judicial custody since 10.04.2026.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail **with the condition that the petitioners shall not indulge themselves in similar nature of offence in future.** The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned Special Judge, Excise-III, Patna, in connection with Excise (Patna) P.S.



Case No.2276 of 2026.

(Ashok Kumar Pandey, J)

khushbu/-

U		T	
---	--	---	--

