

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36313 of 2026

Arising Out of PS. Case No.-1136 Year-2025 Thana- RAMKRISHNANAGAR District-
Patna

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Golu Kumar @ Shivam S/o Surendra Singh @ Surendra Yadav R/o
Shekhpura, P.S.- Ramkrishna Nagar, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd. Singh, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 09-06-2026 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. Perusal of the first information report and the seizure
list would go to show that 680 liters of country made liquor is
said to have been recovered from a four wheeler car and the
F.I.R. was instituted against unknown and the owner of the
vehicle.

4. It is submitted by learned counsel for the petitioner
that there is no recovery from the conscious or physical
possession of the petitioner. The petitioner is neither the owner



nor the driver of the said vehicle. The name of the petitioner transpired in this case during investigation on the statement of co-accused, Mantu Kumar that his father had purchased the car about four months back from one Anand Prakash, which was sold to the petitioner without any paper and documentation in writing. There is violation of the mandatory provisions of the search and seizure as there is no independent witness to the seizure list. Petitioner has been languishing in custody since 27.03.2026 and the investigation is almost at close.

5. Learned APP for the State opposed the bail petition on the ground that petitioner has several criminal antecedents of similar nature of the offence. However, in response, it is submitted that due to these antecedents the petitioner has been made accused in the present case.

6. Taking into consideration the fact and circumstances of the case and also considering the fact that there is non-compliance of mandatory provisions of search and seizure, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ramkrishnagar P.S.



Case No. 1136 of 2025, subject to the further condition that:

- (i) The petitioner shall cooperate in the investigation/trial.
- (ii) The one of the bailors will be a family member/close relative.

(Soni Shrivastava, J)

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