

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36113 of 2026

Arising Out of PS. Case No.-226 Year-2026 Thana- BUDDHACOLONY District- Patna

1. Pankaj Kumar S/o Late Surendra Sah Resident of Gheghtha, P.S.- Sonpur, District- Saran (Chhapra)
2. Shyam Kumar Kamat S/o Satlal Kamat Resident of Madhopur, P.S.- Laukaha, District- Madhubani
3. Santu Das @ Shantu Das S/o Krishna Das Resident of Govindchak, P.S.- Sonpur, District- Saran (Chhapra)
4. Rupesh Kumar S/o Ramrup Mandal Resident of Dhabauli, P.S.- Andramath, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar
For the Opposite Party/s : Mr.Renuka Ratanakar (App125)

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 08-06-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 30(a), 32(2) of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list, would go to show that 118.680 liters of illicit liquor is said to have been recovered from the mess of police centre run by one Ram Bharosi Kamat.

4. It is submitted by learned counsel for the petitioners that there is no recovery from the physical and conscious possession of the petitioners. It is submitted that so



far as the petitioners are concerned, they are all the staff of the person who runs the mess and the recovery is from a place which was accessible to all. It is further submitted that the mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list. Further, the petitioners are in judicial custody since 16.04.2026 with no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail.

6. Taking into consideration the facts and circumstances and also considering the fact that the petitioners are the staff of the mess from where the recovery was made, let the above named petitioners, who have no criminal antecedent, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each 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 Buddha Colony P.S. Case 226 of 2026.

(Soni Shrivastava, J)

devendra/-

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

