

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36437 of 2026

Arising Out of PS. Case No.-198 Year-2025 Thana- KHAGARIA District- Khagaria

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Amit Kumar S/O Arvind Mahto Resident of Vill.- Babbhain, P.S- Bakhri,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner is apprehending arrest in connection
with Khagaria (Gangour) P.S. Case No. 198 of 2025 lodged on
19.06.2025, for the offence punishable under section 30(a) of
the Bihar Prohibition and Excise (Amendment) Act, 2022.

4. As per the prosecution, FIR has been lodged against
the owner and driver of the e-rickshaw & motorcycle. Total
recovery of 174.750 litres of illicit liquor has been made, which
is the subject matter of the present case.

5. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that nothing has been recovered from the conscious possession of the petitioner and the alleged recovery has been made from a motorcycle & e-rickshaw. Counsel further submits that the name of the petitioner has come in this case only on the disclosure of the owner of the said e-rickshaw and the petitioner is said to be the driver of the seized e-rickshaw. He further submits that the petitioner has clean antecedent.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Exclusive Special Excise Judge-I, Khagaria, in connection with Khagaria (Gangour) P.S. Case No. 198 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

8. The Trial Court is directed to verify the criminal antecedent(s) of the petitioner, and in case, it is found at any stage that the petitioner has concealed the fact about his criminal



antecedent(s), the Trial Court shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of the bail bonds in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J)

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