

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36099 of 2026

Arising Out of PS. Case No.-30 Year-2026 Thana- EXCISE JAGDISHPUR District- Bhojpur

Bittu Kumar @ Bittu Kumar Yadav Son of Jabir Yadav @ Javeer Yadav
Resident of Village - Kuruthiya, Ward No. 1, Post Office - Bhadvar, Police
Station - Bagen Gola, District - Buxar, Pin Code - 802134.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Mr. Vikramadit, Adv.

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 08-06-2026 Heard N. K. Agrawal, learned senior counsel for the
petitioner and learned APP for the State.

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 509.760 liters of foreign
liquor and 48 litres of beer are said to have been recovered from
the truck.

4. It is submitted by learned senior counsel for the
petitioner that there is no recovery from the physical and
conscious possession of the petitioner. The petitioner is said to
be the driver of the seized truck and he had no knowledge
whatsoever with regard to the presence of the liquor on the said



truck. 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 and the petitioner is in custody since 12.03.2026 and the investigation is almost on close.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has one criminal antecedent of similar nature of the offence. In response to which, learned counsel for the petitioner submits that in the said case the petitioner is on provisional anticipatory bail for the purposes of verification of criminal history.

6. Taking into consideration the facts and circumstances and also considering the fact that the petitioner was the driver of the seized truck and the mandatory provisions of search and seizure have been violated, 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 Excise Jagdishpur P.S. Case 30 of 2026, subject to the further condition that:

(i) The petitioner shall cooperate in the investigation/trial.



(ii) One of the bailors will be a family member/close
relative.

(Soni Shrivastava, J)

devendra/-

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

