

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36007 of 2026

Arising Out of PS. Case No.-156 Year-2026 Thana- Excise P.S. District- Siwan

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Arun Kumar Ray Barhamadeo Roy @ Brahmadeo Ray R/O - Manohar Park,
P.S - Panjabi Bag, District - West Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

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

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 30(a) and 47 of the Bihar
Prohibition and Excise Act.

3. Perusal of the first information report and the
seizure list, would go to show that 296.640 liters of foreign
liquor is said to have been recovered from a pickup van.

4. It is submitted by learned counsel for the
petitioner that there is no recovery from the physical and
conscious possession of the petitioner. It is submitted that the
petitioner is only a driver of the said vehicle and he had no
knowledge of the seized liquor. 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 with no criminal antecedent is languishing in judicial custody since 27.02.2026 and charge sheet has already been submitted.

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 there is laches in the process of search and seizure coupled with the fact that the petitioner has no criminal antecedent, let the above named petitioner 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 Siwan (Excise) P.S. Case 156 of 2026.

(Soni Shrivastava, J)

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