

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37080 of 2026

Arising Out of PS. Case No.-115 Year-2026 Thana- BRAHMPUR District- Buxar

Abdul Miyan Son of Alijan Miyan Resident Of Village- Chiljhapti P O-
Bhawanipur P S -Nakardai District- Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Brahmpur P.S. Case No.115 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution, in short, is that altogether 328.320 litres of illicit foreign liquor was recovered from a baleno car.

4. Learned counsel appearing on behalf of the petitioner has submitted that nothing has been recovered from the possession of the petitioner. It has been submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. It



has further been submitted that the petitioner is merely a driver of the said car. It has been submitted that the petitioner is having no criminal antecedent and he is in judicial custody since 19.04.2026.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned Exclusive Special Excise Judge, Court No.-2, Buxar in connection with Brahmpur P.S. Case No. 115 of 2026.

(Ashok Kumar Pandey, J)

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