

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39738 of 2026

Arising Out of PS. Case No.-161 Year-2026 Thana- PHULPARAS District- Madhubani

1. Amlen Kumar Ray @ Amlen Kumar @ Amlen Kumar Yadav S/o- Ram Prasad Ray R/o village - Khargama, PS- Phulparas, Dist.- Madhubani.
2. Vijay Kumar Yadav @ Vijay Kumar Sipaliya S/o- Kari Sipaliya R/o village - Khargama, PS- Phulparas, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jaishankar Kumar Yadav

For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-06-2026 Heard the learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek regular bail in connection with Phulparas P.S. Case No. 161 of 2026 registered for the offence under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of 306 liters of foreign liquor from the vehicle in question.

4. Learned counsel for the petitioners submits that the petitioners are in custody since 22.04.2026, are quite innocent and have falsely been implicated in the present case. He further submits that the petitioners are ready to donate Rs. 25,000/- (Rs. Twenty Five Thousand) each in some charitable



organization without accepting their guilt.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances and the submission advanced on behalf of the petitioners, this application for regular bail is allowed.

7. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (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 Phulparas P.S. Case No. 161 of 2026 subject to condition that:-

(I). The petitioners shall deposit an amount of Rs. 25,000/- (Rupees Twenty Five Thousand Only) each in Ramakrishna Mission Sevashrama, Swami Vivekananda Path, Bela, Muzaffarpur, Bihar and produce the receipt of the same before the Court below. The bail bonds of the petitioners shall be accepted only after verifying the genuineness of the receipt produced by the petitioners.

(ii). The petitioners are directed to mark their attendance at Phulparas Police Station, Madhubani on every 1st and 3rd Sunday of each month. Failure to do so, will result in cancellation of bail bonds of the



petitioners.

(iii). At the time of accepting the bail bonds of the petitioners, the Court below shall verify the fact whether the petitioners have clean antecedent or not. If it is found that the petitioners have clean antecedent then only their bail bonds shall be accepted by the Court below. However, it is made clear that the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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