

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37885 of 2026

Arising Out of PS. Case No.-414 Year-2026 Thana- EXCISE PUPRI District- Sitamarhi

Gulshan Kumar S/O Pappu Thakur R/O Vill.- Janakpur Road, Ward No.- 04,
P.S- Pupri, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dwij Raj, Advocate

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Excise Pupri P.S. Case No. 414 of 2026 registered for the alleged offences under Sections 30(a), 32(c) of Bihar Prohibition and Excise Act.

03. As per prosecution case, the petitioner was apprehended carrying 100.50 litres of country made Nepali liquor.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and he has been made accused in this case merely on suspicion. The person carrying the illicit liquor fled away and



the petitioner was apprehended in highhandedness of the police. Nothing incriminating has been recovered from the person or possession of the petitioner. There is non-compliance of mandatory provision of search and seizure. The petitioner is not the owner of the seized motorcycle or the contraband recovered from it. The petitioner is having clean antecedent and he is in custody since 28.04.2026.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No. II, Sitamarhi/concerned Court in connection with Excise Pupri P.S. Case No. 414 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present



on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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