

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39173 of 2026

Arising Out of PS. Case No.-284 Year-2026 Thana- Excise P.S. District- Purnia

1. Manish Kumar Son of Manoj Swarnakar Resident of Village - Gerabari, P.S.- Karha, Dist.- Katihar.
2. Nitish Kumar Son of Dinesh Ram Resident of Village - Gummi, P.S.- Singeshwar, Dist.- Madhepura

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate.
Ms. Divya Bharti, Advocate.
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

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

2. The petitioners have preferred this application for grant of regular bail in connection with Excise Sadar P.S. Case No. 284 of 2026 dated 10.05.2026, registered for the offences punishable under Sections 30(a) and 47 of Bihar Prohibition & Excise Amendment Act 2016.

3. As per the prosecution case, 75.360 liters of foreign illicit liquor has been recovered from a vehicle. It has been alleged that the petitioner No.1 was driving that vehicle and petitioner No.2, Nitish Kumar, was sitting on the passenger seat.

4. Learned counsel for the petitioners has submitted that the petitioner No.1 is the driver of the vehicle from which the alleged recovery has been made while the petitioner No.2



was a gratuitous passenger. It has further been submitted that the petitioners were not aware that the consignment contained illicit foreign liquor. It has further been submitted that procedure prescribed under Sections 103/105 of the B.N.S.S. has not been followed. It has further been submitted that the petitioner No.1 is accused in one another case of similar nature, but is on bail in that case, whereas petitioner No.2 has got no criminal antecedents. It has lastly been submitted that the petitioners are in custody since 10.05.2026.

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

6. Heard the parties and perused the records.

7. Considering the facts and circumstances of the case as well as the period of custody, the petitioners above-named are directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise-02), Purnea, in connection with Excise Sadar P.S. Case No. 284 of 2026.

8. The application stands allowed.

(Praveen Kumar, J)

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