

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38629 of 2026

Arising Out of PS. Case No.-81 Year-2025 Thana- Excise P.S. District- Samastipur

Abhyas Kumar S/o Ashok Sah R/o Village - Rampur Kushaya, Ward no. 06,
P.S. - Waris Nagar, Dist. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sweta Suman, Advocate

For the State : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

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

2. The petitioner apprehends arrest in connection with
Excise P.S. Case No. 81 of 2025 registered for the offence under
Sections 30(a) of the Bihar Prohibition and Excise Amendment
Act.

3. As per the prosecution case, there is recovery of
6.840 liters of illicit liquor from a bag. The petitioner is the
brother of the accused who was caught on the spot and he has
named the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. The petitioner claims clean antecedent.

5. Learned counsel for the petitioner submits that the



petitioner is ready to donate Rs. 25,000/- in some charitable organization without accepting his guilt.

6. Considering the aforesaid facts, this application is allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-2, Samastipur / concerned Court below in connection with Excise Sadar P.S. Case No. 81 of 2025, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

8. This is also subject to the condition that the petitioner shall deposit an amount of Rs. 25,000/- 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 petitioner shall be accepted after verifying the genuineness of the receipt produced by the petitioner.

9. As the petitioner claims to have clean antecedent, the Court below, before accepting the bail bonds of the



petitioner is directed to verify the antecedent of the petitioner. If the petitioner is found to be involved in any other case then the bail bonds of the petitioner shall not be accepted.

10. As a condition of this order, the petitioner, after being released on anticipatory bail, is directed to mark his attendance at Waris Nagar Police Station, District-Samastpur on first and third Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

11. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not express any opinion on the merits of the case.

(Sandeep Kumar, J)

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