

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43029 of 2026

Arising Out of PS. Case No.-278 Year-2026 Thana- Excise P.S. District- Purnia

Gautam Kumar, Son of Gopal Kanjar, Resident of Village- Baghmara Rehika
Tola, Ward No. 08-, P.S.- K. Nagar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mrs.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Purnea (Sadar) Excise P.S. Case No. 278 of 2026, registered for the alleged offence under Sections 30(a) & 47 of the Bihar Prohibition & Excise Act.

3. As per prosecution case, the petitioner was apprehended when the police stopped his E-rickshaw during checking of vehicles and recovery of 35.670 liters of illicit foreign liquor was made from the secret compartment of the E-rickshaw.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the



person/possession of the petitioner. The petitioner has no concern with the E-rickshaw or the seized illicit liquor. There is no independent witness to the alleged occurrence and there is violation of mandatory provision of law about the search and seizure. The petitioner is in custody since 08.05.2026 and is having clean antecedents.

5. Learned APP for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of recovery and further considering the period of custody of the petitioner and his clean antecedents, 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 Special Excise Judge-II, Purnea/court concerned in connection with Purnea Sadar Excise P.S. Case No. 278 of 2026, subject to the conditions mentioned in Section 480(3) of BNSS and 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)

V.K.Pandey/-

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