

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42931 of 2026

Arising Out of PS. Case No.-2158 Year-2026 Thana- Excise P.S. District- Patna

1. Pankaj Kumar S/O Kabul Singh Resident of Dhokia, P.S. - Jatu Sana, District - Khor, (Hariyana)
2. Raj Karan Kumar Son of Sri Prasad Resident - Rudapur, P.S. - Jagdishpur, District - Amethi (Uttar Pradesh)
3. Shiv Karan Kumar @ Shiv Karan S/O Sri Prasad Resident - Rudrapur, P.S. - Jagdishpur, District - Amethi (Uttar Pradesh)
4. Ram Suraj Kumar @ Ram Suran Kumar Son of Sri Prasad Resident - Rudrapur, P.S. - Jagdishpur, District - Amethi (Uttar Pradesh)
5. Kamlesh Kumar Son of Pullu Nishad Resident of Semarghat, P.S. - Sultanpur, District - Sultanpur (Uttar Pradesh).
6. Niraj Kumar Son of Late Harischandra Kumar Nishad Resident of Kotwa, P.S. Kotwa Musafirkhana, District - Amethi (Uttar Pradesh)
7. Sharwan Nishad @ Sarwan Nishad Son of Suresh Nishad Resident of Sultanpur, P.s. Kamla Nehru District - Sultanpur (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

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

2. In the present case, the petitioners seek bail in connection with Patna Excise P.S. Case No. 2158 of 2026, registered on 04.04.2026 for the offences under Section 30(a), 32, 41, 56(b), 62 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, secret information was received about foreign liquor kept in a warehouse for its transportation to different places. A raid was conducted and from search of a truck parked in the premises, recovery of 702 litres of foreign liquor was made. The petitioners and coaccused Ramendra Sharma were apprehended from the spot.



4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The warehouse belongs to one Dinendra Kumar and petitioner Pankaj Kumar is said to be the manager of the said warehouse. However, nothing incriminating has been recovered from person or possession of the petitioners. All the petitioners are labourers who used to work in different warehouses for earning their livelihood and petitioner Pankaj Kumar was not the manager. Search and seizure has not been made following the mandatory provisions of law. The petitioners are in custody since 04.04.2026. Petitioners are having clean antecedent.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioners. Learned APP submits that petitioner Pankaj Kumar and one Ramendra Sharma are stated to be the managers and they knew about the consignment and were transporting the same.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioners, nature of recovery and period of custody of the petitioners, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise -IIIrd, Patna/concerned court, in connection with Patna Excise P.S. Case No. 2158 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

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

(Arun Kumar Jha, J)

Anuradha/-

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