

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38804 of 2026

Arising Out of PS. Case No.-370 Year-2026 Thana- Excise P.S. District- Aurangabad

Harendra Kumar S/o Bisunpat Ram R/o Village- Rediya, P.S- Aurangabad
Muffasil, Dist- Aurangabad

... .. Petitioner

Versus

The state of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 09.04.2026 in connection with Excise Sadar P.S. Case No. 370 of 2026 for the offence punishable under Sections 30(a) and 32(3) of Bihar Prohibition and Excise Amendment Act, 2018 and Sections 41(1) and 41(2) of the Bihar Prohibition and Excise Act, 2016.

3. That the prosecution case in brief, as disclosed by the informant in his written information is that on 8.4.2026, while the informant was on patrolling and raiding duty. During patrolling, the informant received a secret information about bringing of liquor by one person on a Maruti Suzuki Car bearing Reg.No. BR01AQ-8165. The informant informed the high



officials and reached at the place of information. The informant saw the aforesaid car and gave a signal to stop but one person sitting on the car tried to flee but was caught by the police, who disclosed his name as Harendra Kumar. Thereafter a search was made in Maruti Suzuki Car bearing Reg.No. BR01AQ-8165 and during the search 651 liters of country made liquor & one mobile was recovered. The person caught further disclosed that the aforesaid car alongwith liquor was given to him for delivery of the same at Ketaki More by one Nirmal Kumar.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is further submitted that it appears from the FIR that altogether 651 liters of country made liquor & one mobile was recovered from the vehicle in question. It is next submitted that petitioner is neither the owner nor the driver of the vehicle in question and the vehicle in question belong to one Farzan and petitioner has no concern at all with the alleged vehicle in question and petitioner is in custody since 09.04.2026.

5. The learned Additional Public Prosecutor for State



has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of one case other than the present case but fairly submits that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 Court of learned Special Judge, Excise-II, Aurangabad in connection with Excise Sadar P.S. Case No. 370 of 2026 subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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