

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38895 of 2026

Arising Out of PS. Case No.-208 Year-2026 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Abhishek Kumar S/o Arjun Sah resident of ward no. 11, Harsihpur,
Harsinghpur, P.S.-Sarairanjan, District- Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard Mr. Keshav Bhardwaj, learned counsel for

the petitioner and Mr. Rajesh Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
07.05.2026 in connection with Samastipur Muffasil P.S. Case
No. 208 of 2026, F.I.R. dated 06.05.2026 for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

3. Recovery is of 252 liters of foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner clean antecedent and he has falsely been implicated in
the present case. He further submits that it appears from the
F.I.R. as well as seizure list that nothing has been recovered



from the conscious possession of the petitioner rather the recovery has been made from vehicle in question and the petitioner has been made accused merely on the basis that he is the owner of the vehicle in question. The petitioner is in custody since 07.05.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

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 learned Exclusive Special Judge (Excise)-I, Samastipur in connection with Samastipur Muffasil P.S. Case No. 208 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 his absence on two consecutive dates without sufficient reason, his 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)

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