

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42144 of 2026

Arising Out of PS. Case No.-116 Year-2026 Thana- DUMARIAGHAT District- East
Champaran

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Pankaj Kumar, S/o Suresh Ram, R/o Village- Jaltauli, P.S.- Bhore, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Umanath Mishra, APP

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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 Dumariyaghat P.S. Case No. 116 of 2026, registered for the alleged offence under Sections 30(a), 41(1) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, the petitioner was arrested for transporting illicit liquor in a Bolero vehicle and recovery of 151.200 liters of illicit foreign liquor was made from the said vehicle.

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 seized vehicle from which recovery has been made. There is violation of statutory provisions for search and seizure as no independent witness has been joined. The petitioner is in custody since 12.04.2026 and is having antecedent of one case and he is on bail in that case.

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 the period of custody of the petitioner, 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 Court No.3, East Champaran at Motihari/court concerned in connection with Dumariyaghat P.S. Case No. 116 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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