

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42002 of 2026

Arising Out of PS. Case No.-28 Year-2026 Thana- KUWARI District- Araria

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Md. Saiyub @ Saiyyub S/o Late Jahir Alam Resident of Village- Lailokar,
Garaiya, Ward No. 02, P.S.- Kuwari, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mrs.Pushpa Sinha.1, 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.

02. In the present case, the petitioner seeks bail in connection with Kuwari P.S. Case No. 28 of 2026 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, the police intercepted illicit liquor being transported in an E-rickshaw and co-accused Md. Asif was arrested, who disclosed that the petitioner, who was driving the accompanying motorcycle, was the person who loaded the illicit liquor in his E-rickshaw for transportation.

04. 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 or possession of the petitioner as is apparent from the FIR. The petitioner has no concern with the seized liquor and the E-rickshaw from which the recovery has been made. The petitioner is having antecedent of five cases of similar nature and he is in custody since 16.04.2026.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the conscious possession of the petitioner and 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 Judge Excise-II, Araria/concerned Court in connection with Kuwari P.S. Case No. 28 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also 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)

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