

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42212 of 2026

Arising Out of PS. Case No.-132 Year-2026 Thana- GAYA RAIL P.S. District- Gaya

Aman Kumar, aged about 19 years, Male, Son of Ashok Yadav, Resident of
Mohalla- Bangala Asthan, Ward No. 9, P.S.- Kotwali, District- Gaya Ji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Chandni Kumari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

2. The petitioner seeks bail in connection with Gaya
GRPS Case (Rail Gaya P.S. Case No. 132 of 2026) instituted
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act, 2022.

3. As per allegation in the FIR, on search, 200 liters of
illicit country-made liquor has been recovered from the bag of
the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He submits that the said
liquor has been recovered from the coach of a train and not from
the conscious possession of the petitioner. He further submits
that the petitioner has been made scapegoat in the present case



only on the basis of suspicion. He next submits that as per the FIR and seizure list, it appears that there is contradiction in the place of recovery as the recovery has been shown in the seizure in the general coach of the train but in the fardbeyan it is stated that the petitioner were apprehended and the recovery was made from a bag. Petitioner has got one criminal antecedent which has been shown in the supplementary affidavit filed on behalf of the petitioner, which has been annexed in the bail petition. Petitioner is in custody since 11.05.2026.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR, seizure list and the impugned order of the learned Exclusive Special Excise Court No.2, Gaya Ji dated 25.05.2026, it appears that petitioner is named in the FIR. From perusal of the records, it also appears that on the basis of written report of the informant, FIR has been registered under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022 against the present petitioner and the allegation is of recovery of 200 liters of illicit country-made liquor from the bag of the petitioner. From perusal of seizure list, it also appears that there is no any independent witness of the seizure, petitioner is under custody since



11.05.2026, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant regular bail to the petitioner.

7. Accordingly the prayer for regular bail of the petitioner is allowed. Let the petitioner above named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 2, Gaya Ji in connection with Rail Gaya P.S. Case No. 132 of 2026, subject to the condition that the petitioner shall remain physically present on each and every date fixed by the trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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