

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42949 of 2026

Arising Out of PS. Case No.-149 Year-2026 Thana- KUCHAIKOTE District- Gopalganj

1. Ketul Kumar Son of Jalandhar Sharma Resident of village- Mathiya Bariyarpur, Ps- Motipur, Dist- Muzaffarpur
2. Subhash Kumar Son of Mahesh Rai Resident of village- Mathiya Bariyarpur, Ps- Motipur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioners seek bail in connection with Kuchaikote P.S. Case No.149 of 2026, registered on 27.03.2026 for the offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, during patrolling, police signalled a vehicle to stop but the driver tried to run away with the vehicle. Police gave a chase and arrested two persons from the vehicle and from search of the vehicle, recovery of 82.800 litre of India made foreign liquor was made.

4. Learned counsel appearing on behalf of the



petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners are not the owner of the vehicle and petitioner no. 1 was the driver and petitioner no. 2 was passenger on the vehicle and they have nothing to do with the seized liquor. Petitioners are having clean antecedent and they are in custody since 28.03.2026. Charge sheet has been submitted.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the submission of charge sheet and period of custody of the petitioners, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-II, Gopalganj/concerned court, in connection with Kuchaikote P.S. Case No.149 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on



each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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