

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42174 of 2026

Arising Out of PS. Case No.-217 Year-2024 Thana- BHAGWANPUR District- Vaishali

Ajit Kumar S/O Shivji Das R/O village - Bhagwanpur, P. S - Bhagwanpur,
District – Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

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

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 Bhagwanpur P.S. Case No. 217 of 2024 registered for the alleged offences under Sections 409, 120(B) of the Indian Penal Code and Sections 30(a), 50, 51 and 52 of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police seized 322.36 liters foreign liquor in connection with Bhagwanpur P.S. Case No. 143 of 2024. Subsequently, it came to the notice of the SHO that the *Chowkidars* while calculating the quantity of liquor deliberately shown it on lesser side and sold some illicit liquor to other co-accused persons. The vehicle of the petitioner was found entering into the police station premises and returning



immediately thereafter and it was inferred that the petitioner purchased the illicit liquor from other co-accused persons.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner went to the police station to lodge a report about missing papers of the vehicle but no report was lodged and he returned. Nothing incriminating has been recovered from the possession of this petitioner who never participated in the alleged crime. Learned counsel further submits that the petitioner is having clean antecedent and is in custody since 05.04.2026. Charge-sheet has been submitted.

05. Learned APP for the State 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 nature of allegation and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, 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 Court No. 1, Vaishali at Hajipur/court concerned in



connection with Bhagwanpur P.S. Case No. 217 of 2024, 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)

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