

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42141 of 2026

Arising Out of PS. Case No.-574 Year-2026 Thana- Excise P.S. District- Kishanganj

Ajay Kumar, Son of Late Ganga Choudhary @ Ganga Prasad Choudhary,
Resident of village – Luluwabari, Ward No. 07, P.S.- Jokihat, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate

For the Opposite Party/s : Md. Nazir Ansari, 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.

2. In the present case, the petitioner seeks bail in connection with Kishanganj Excise P.S. Case No. 574 of 2026, registered for the alleged offence under Sections 30(a), 32(3) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, the petitioner was apprehended transporting 143.920 liters of illicit foreign liquor and beer.

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 is the driver of the vehicle and has no concern with the allegedly recovered



liquor. There is violation of statutory provisions for search and seizure as no independent witness has been joined. The petitioner is in custody since 22.05.2026 and is having clean antecedent.

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 allegation against the petitioner and further considering the period of custody of the petitioner and his clean antecedent, 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.2, Kishanganj/court concerned in connection with Kishanganj Excise P.S. Case No. 574 of 2026 (Special Case No. 587/2026), 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/-

U		T	
---	--	---	--

