

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42201 of 2026

Arising Out of PS. Case No.-99 Year-2025 Thana- BHUTAHI District- Sitamarhi

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Akash Kumar @ Chhotu @ Pachtakiya S/O Ramesh Ray @ Ramesh Prasad
Yadav Resident of Village- Pipara Parsain Lalbandi Darbar, P.S.- Sonbarsa,
District -Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, 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 Bhutahi P.S. Case No. 99 of 2025 registered for the alleged offences under Section 317(2) of Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, secret information was received about transportation of illicit liquor in a white coloured Scorpio vehicle. On seeing the police party, the driver of vehicle tried to run away with the vehicle but the said vehicle was intercepted and two persons tried to escape but one of them was apprehended and another miscreant fled away. The apprehended



co-accused disclosed the name of this petitioner who fled away from the spot. On search of the vehicle, recovery of 450 liters of country made Nepali liquor was made.

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 person or possession of the petitioner who was not apprehended from the spot. Except for suspicion, there is no material against the petitioner who has no concern either with the seized liquor or the apprehended co-accused or the seized vehicle. Learned counsel further submits that the petitioner is having antecedent of one case in which he is on bail. The petitioner is in custody since 16.05.2026.

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 fact that the petitioner was not apprehended from the spot and no recovery has been shown from his possession and further considering the period of custody of the petitioner 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 Excise Court No. 1, Sitamarhi/court concerned in connection with Bhutahi P.S. Case No. 99 of 2025, 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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