

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45965 of 2026

Arising Out of PS. Case No.-104 Year-2026 Thana- Excise P.S. District- Madhepura

Akshay Kumar S/O Yogendra Yadav R/O Vill.- Kishanpur, Ward no. 11, P.S.-
Pastpar, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a) and 32(iii) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a car, altogether 202.920 liters of illicit foreign liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. He is not concerned in any way either with the alleged liquor or with the said car. He was just a passenger of that vehicle. The witnesses of the seizure list are police personnel and police have not



complied Section 105 of BNSS while preparing the seizure list. Moreover, he is languishing in judicial custody since 17.05.2026 having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Madhepura Excise P.S. Case No. 104 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-VII cum Special Judge, Excise-I, Madhepura.

(Ashok Kumar Pandey, J)

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