

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44328 of 2026

Arising Out of PS. Case No.-474 Year-2026 Thana- Excise P.S. District- Aurangabad

Vikash Kumar, aged about 40 years, Gender-Male, Son of Pramanand Paswan, Resident of Village- Kuntha, P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priyam Kumari, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

2. The petitioner seeks bail in connection with Excise Sadar Aurangabad P.S. Case No. 474 of 2026 instituted for the offences punishable under Sections 30(a), 32(3), 41(1) and 41(2) of the Bihar Prohibition and Excise Act, 2018.

3. As per allegation in the FIR, total 328 litres of illegal beer and 18 litres illegal foreign liquors have been recovered from a Scorpio.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that the petitioner is only the driver of the vehicle and he has no knowledge about the consignment. He further submits that petitioner is neither the owner of the seized illegal liquor and



Scorpio nor concerned with any material as prescribed in the seizure list. He submits that there is no any independent witness of the seizure list and the seizure list witnesses are police personnel. Petitioner is in custody since 09.05.2026.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR, seizure list and impugned order of the learned Special Judge Excise-II, Aurangabad, dated 09.06.2026, it appears that petitioner is named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant, FIR has been registered under Sections 30(a), 32(3), 41(1) and 41(2) of the Bihar Prohibition and Excise Act, 2018 against the above named petitioner and the allegation is recovery of 328 litres of illegal beer and 18 litres illegal foreign liquors from the Scorpio and he is the driver of the alleged vehicle. Petitioner is in custody since 09.05.2026 and no any independent witness of the seizure list, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant regular bail to the above named petitioner.

7. Accordingly the prayer for regular bail of the petitioner is allowed. Let the petitioner above named be



released on regular bail on furnishing bail bonds of Rs. 10,000/-
(Ten Thousand) with two sureties of the like amount each to the
satisfaction of the learned Special Excise Court No. 2,
Aurangabad, Bihar in connection with Excise Sadar Aurangabad
P.S. Case No. 474 of 2026.

(Ramesh Chand Malviya, J)

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