

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44197 of 2026

Arising Out of PS. Case No.-869 Year-2026 Thana- Excise P.S. District- Muzaffarpur

Vishal Kumar S/O Late Shivnath Bhagat Resident Of Village- Semariya,
Ward No. 04, P.s.- Nautan, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi, Advocate

For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Muzaffarpur Excise P.S. Case No. 869 of 2026, registered on 14.05.2026 for the offences under Sections 30(a), 32(3) of the Bihar Prohibition and Excise Act, 2016(Amended 2018/22)

3. As per the prosecution case, petitioner was apprehended transporting 224.60 litres of India made foreign liquor in a Brezza vehicle.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is not the owner of the vehicle and he is merely the driver of the vehicle. The petitioner



has no knowledge about the article loaded in the vehicle and he has no concern with the seized liquor. Nothing incriminating has been recovered from the conscious possession of the petitioner who is in custody since 14.05.2026. The petitioner has no criminal antecedent.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the nature of recovery, period of custody of the petitioner and his clean antecedent, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-02, Muzaffarpur/concerned court, in connection with Muzaffarpur Excise P.S. Case No. 869 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other 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, if so required by the learned trial court.

(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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