

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42789 of 2026

Arising Out of PS. Case No.-28 Year-2026 Thana- Badem P.S. District- Aurangabad

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Himanshu @ Goldi @ Himanshu Kr. Singh S/o Arvind Kumar Singh R/o vill-
Ganeshpuri, ward no. 1, Japla, P.S. Hussainabad, Distt.- Palamu, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard Mr.Aman Vishal, learned counsel for the

petitioner and Mr.Mukesh Kumar Singh, learned A.P.P. for

the State.

2. The petitioner seeks bail, who is in custody since
09.05.2026 in connection with Badem P.S. Case No. 28/2026,
F.I.R. dated 05.04.2026 registered for the offence punishable
under Section 30(a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. Recovery is of 360 liters of Spirit.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. From a bare perusal of the FIR it appears that
altogether 360 liters of Spirit was recovered from the vehicle



in question and petitioner was not present at the place of occurrence. The name of the petitioner has been transpired during investigation on the basis of the disclosure made by the apprehended co-accused persons, namely, Ambuj Kumar and Akash Kumar and they have disclosed that the spirit in question belongs to the petitioner and except the aforesaid, nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. Further submits that co-accused persons, namely, Ambuj Kumar and Akash Kumar, who disclosed the name of the petitioner, have been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 21.05.2026 passed in Cr. Misc. No.34815 of 2026 and the petitioner is in custody since 09.05.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one of similar nature, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, name of the petitioner has been transpired during investigation on the basis of the disclosure made by the apprehended co-accused persons and said co-accused persons, who disclosed the name



of the petitioner, have been granted bail by a Coordinate Bench of this Hon'ble Court, let the petitioner, above named, be released on bail 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-cum-Exclusive Special Judge, Excise Court No.1, Aurangabad in connection with Badem P.S. Case No. 28/2026, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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