

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45389 of 2026

Arising Out of PS. Case No.-53 Year-2026 Thana- SONBERSHA RAJ District- Saharsa

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Dilkhush Kumar @ Dilkhush Kumar @ Anmol Kumar @ Anmol Son of Ajay Prasad Yadav @ Ajay Yadav Resident of Village- Rakhauta, Ward No. -15, P.S.- Sonbarsa Raj, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

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

2. The petitioner has preferred this application for grant of regular bail in connection with Sonbarsa Raj P.S. Case No. 53 of 2026 dated 13.03.2026 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation, altogether 206.010 liters of illicit foreign liquor was recovered concealed under the straw, from the house of one Rotish Kumar @ Rotish Yadav. It has further been alleged that the said Rotish Kumar @ Rotish Yadav stated that the seized liquor belongs to him and his partner, Dilkhush Kumar (the petitioner).



4. The learned counsel for the petitioner has submitted that petitioner is innocent and has falsely been implicated in this case. It has further been submitted that nothing has been recovered from the conscious possession of the petitioner and the alleged recovery has been made from the house of Rotish Yadav @ Rotish Kumar. It has further been submitted that, except confessional statement of co-accused before police while in police custody, there is nothing against this petitioner. It has further been submitted that the petitioner has been made victim of the police atrocity, and the procedure prescribed under Section 103 BNSS has not been followed. It has further been submitted that the charge-sheet has been filed in this case and there is no allegation of tampering against the petitioner. It has further been submitted that petitioner has been made accused in five cases out of which two cases are of similar nature and he is on bail in four cases. It has lastly been submitted that petitioner is in custody since 06.05.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Heard learned counsel for the parties and perused the records.

7. Considering the facts and circumstances of the case



as well as the material against the petitioner, the petitioner above-named is directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Sonbarsa Raj P.S. Case No. 53 of 2026.

8. The application stands allowed.

(Praveen Kumar, J)

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