

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45971 of 2026

Arising Out of PS. Case No.-225 Year-2026 Thana- Excise P.S. District- Gopalganj

1. Aakash Kumar @ Akash Kumar Son of Late Motilal Ram Resident of Village-Pakhopali Nawka Tola, Police Station-Uchkagaon, District-Gopalganj
2. Abhishek Kumar Ram Son of Late Motilal Ram Resident of Village-Pakhopali Nawka Tola, Police Station-Uchkagaon, District-Gopalganj
3. Mustafa Rai Son of late Doma Rai Resident of Village - Rajapur, Ps-Kateya, Dist- Gopalganj
4. Ravi Kumar Son of Dinesh Prasad Resident of Village- Sirisiya, Ps-Kuchaikote, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

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

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

3. The case of the prosecution is that from a Mahindra Pickup van, altogether 1867.55 liters illicit foreign liquor was recovered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Learned counsel for the petitioners has submitted that nothing has been



recovered from the possession of the petitioners. Petitioner no. 1 and petitioner no. 3 are driver and co-driver of the said vehicle whereas petitioner nos. 2 and 4 were sitting in the cabin of that vehicle. They were having no information regarding the alleged consignment and they have no concern with the alleged recovery. There is no independent witness of the seizure list rather they are police personnel and police has not complied Section 105 of BNSS while preparing the seizure list. Moreover, they are languishing in judicial custody since 12.03.2026.

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 petitioners on bail. The above named petitioners are directed to be released on bail in connection with Excise (Utpad) P.S. Case No. 225 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II, Gopalganj.

(Ashok Kumar Pandey, J)

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