

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48514 of 2026

Arising Out of PS. Case No.-346 Year-2026 Thana- PARSA District- Saran

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1. Kamlesh Kumar S/o Jugeshwar Rai R/o vill - Nabiganj, ward no. 5, P.S.- Bhagwan Bazar, Distt.- Saran
 2. Upendra Kumar Rai @ Upendra Kumar S/o Muneshwar Rai @ Munesh Ray R/o vill - Nabiganj, ward no. 5, P.S.- Bhagwan Bazar, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raushan Raj, Advocate Mr. Sitesh Kashyap, Advocate
For the State	:	Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. on behalf of the State.

2. The petitioners have filed this bail application in connection with Parsa P.S Case No. 346 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 (as amended up-to-date).

3. As per the prosecution story, there was a recovery of 220.26 liters of illicit liquor from two E- Rickshaws. It has been submitted on behalf of the petitioners that the petitioners are innocent and they have been falsely implicated in this case. Nothing has been recovered from the conscious possession of the petitioners and the alleged seized two E- Rickshaws do not



belong to the petitioners.

4. It is further submitted that no occurrence as alleged in the FIR has ever taken place and the entire prosecution story is based on suspicion and is false and fabricated.

5. Further, it has been submitted that the witnesses of the seizure list are members of the raiding team and there is no compliance to Section 103 of the B.N.S.S while making seizure.

6. The petitioners have got clean antecedent and are in judicial custody since 30.06.2026.

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

8. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court 3rd, Saran at Chapra in connection with Parsa P.S Case No. 346 of 2026 on the following conditions:-

(i) That one of the bailor should be family member of the petitioner.

(ii) That the petitioner will cooperate in the trial and will remain present on all dates personally or should be duly



represented through his counsel and whenever required to be physically present by the Court, he should physically appear in Court on that date.

(iii) 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.

(Kumar Manish, J)

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