

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48521 of 2026

Arising Out of PS. Case No.-264 Year-2026 Thana- Excise P.S. District- Sheikhpura

1. Rohit Kumar Son of Karu Ram Resident of Village- Bedhana, P.S.- Badh, District- Patna
2. Sunny Kumar Son of Ramchandra Ram Resident of Village- Kuil Vrindawan, P.S.- Kiul, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Nandan Prasad, Advocate Mr. Rajnish Kumar, Advocate
For the State	:	Mr. Shailendra Kumar, 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, Rohit Kumar and Sunny Kumar have filed this bail application in connection with Sheikhpura Excise P.S Case No. 264 of 2026 registered for the offence punishable under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act, 2016 (as amended up-to-date).

3. As per the prosecution story, there was a recovery of 34.560 liters of foreign liquor from the car bearing **Registration No. JH05J-2355** and the petitioners were arrested on the spot. It has been submitted on behalf of the petitioners that the petitioners are innocent and they have been falsely



implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor.

4. It is further submitted that the petitioners are neither owner nor driver of the car. The petitioners had no knowledge regarding the nature of goods kept in the vehicle in question.

5. Further, it has been submitted that the witnesses of the seizure list are police personnel and police have not complied to Section 103 of the B.N.S.S while making seizure.

6. The petitioners are having a clean antecedent and are in judicial custody since 10.06.2026.

7. The coordinate Bench of this hon'ble Court in Cr. Misc No. 49088 of 2026 vide order dated, 20.07.2026 have granted bail to the co-accused namely, Abhiraj Kumar and Arjun Kumar.

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

9. 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, Sheikhpura in connection with Sheikhpura Excise P.S Case No. 264 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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