

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51903 of 2026

Arising Out of PS. Case No.-127 Year-2026 Thana- JALALGARH District- Purnia

1. Ashish Kumar @ Aaryan S/o Sunil Prasad Yadav R/O Village- Dhobania, Ward no. 13, PS- Naugachia, Distt- Bhaglapur
2. Santosh Kumar S/O Pradip Prasad Yadav R/O Rasalpur, Ward no. 7, PS- Naugachia, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Yadav, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor on behalf of the State.

2. The Petitioners have been made accused under the provision of Section 30(a) of the Bihar Prohibition and Excise Act 2022 in connection with Jalalgarh P.S. Case No. 127 of 2026.

3. As per the allegation in the FIR, 1199 litres foreign liquor has been recovered from the Car.

4. Learned counsel for the petitioner submits that petitioners have been made accused on the confession of co-accused Nishant Kumar. Learned counsel next submits that petitioners had called on mobile of one co-accused namely Md. Sabir, therefore their numbers were reflected in that mobile. Learned counsel further submits that petitioner's have falsely been



implicated as no recovery has been made from them. They undertake not to repeat the offence.

5. Learned APP appearing on behalf of the State has opposed the application.

6. Taking into consideration the entire facts and also the fact that recovery has not been made from them and as such they have clean antecedent, the prayer for bail is allowed and the petitioners above-named, are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court of Addl. Special Judge Excise-I at Purnea in connection with Jalalgarh P.S. Case No. 127 of 2026, subject to the following conditions:-

(i) The petitioners shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioners such as mother, father, brother, sister or wife.

(iii) Before release, the learned court below shall verify the criminal antecedent of the petitioners and if he is found involved in any other case except the present one, their bail bond shall not be accepted.

(iv) The petitioners will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of



the petitioner.

(v) It is also made clear that there shall not be any delay
in verifying the criminal antecedent of the petitioners.

(Raj Kumar, J)

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