IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75857 of 2026

CNR No. BRHC011063422026

Arising Out of PS. Case No.-106 Year-2026 Thana- SIKRAUL District- Buxar

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Sudu Kumar Son of Late Prem Yadav @ Late Prem Singh Resident of Village- Semari, P.S.- Dawath, District -Rohtas

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 20-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that a bike, altogether 45 liters of illicit country made liquor was recovered. It is alleged that the petitioner was apprehended by the police and this petitioner is the pillion of the said bike.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of the petitioner. Learned counsel

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has submitted that he has no concern either with the alleged recovery of liquor or with the seized bike. He is merely a pillion of that bike. The witnesses of the seizure list are police personnel and police has not complied Section 105 of BNSS while preparing seizure list. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 01.09.2026.

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 petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sikraul P.S. Case No. 106 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Court No. 2, Buxar.

(Ashok Kumar Pandey, J)

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