IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76072 of 2026
CNR No. BRHC011103002026
Arising Out of PS. Case No.-271 Year-2026 Thana- KORHA District- Katihar

==========

1. Sonu Kumar S/o Bitani Ray R/O Mohalla- Nasriganj, Ward no. 33, P.s.- Danapur, Dist.- Patna, Bihar- 800018
2. Mantu Kumar S/o Bitani Ray R/O Mohalla- Nasriganj, Ward no. 33, P.s.- Danapur, Dist.- Patna, Bihar- 800018

... ... Petitioners

Versus

The State of Bihar

... ... Opposite Party

==========

Appearance :
For the Petitioner/s : Mr. Amit Kumar Jha, Adv.
For the Opposite Party/s : Mr. Khurshid Anwar, APP

==========

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 28-10-2026 Heard the parties.

2. Both accused/petitioners seek bail in connection with Korha P.S. Case No.271 of 2026 registered for the offences punishable under Sections 30(d), 30(g) of the Bihar Prohibition and Excise Act, 2016 and Sections 318(4), 317(2) & 3(5) of the B.N.S.

3. The accused/petitioners named in the FIR and are in custody since 09.08.2026.

4. Allegation against the petitioners is to carry the consignment of Naushad (Ammonium Chloride) through vehicle bearing Registration No.BR-01GF-2194 being driver and helper. The alleged seized chemical i.e., Naushad alleged to

WEB COPY

prepare illicit liquor which is prohibited in State.

5. It is submitted by learned counsel appearing for the petitioners that the consignment was of one Ravinder Kumar of village-Santha, Chhapra, who purchased the said Naushad i.e., salt tablet for cattle feed use from M/s Shiv Salt and Chemical, Nasriganj, Danapur, Patna (Annexure-P/2). It is pointed out that said shop is duly registered with Government of India, Ministry of Micro, Small and Medium Enterprises having UDYAM Registration No. UDYAM-BR-26-0239590. It is further argued that merely on the basis of presumption that the said chemical can be used for fermentation purpose to prepare illicit liquor, the present case was lodged against the petitioners. It is also pointed out that the recovery not appears to be made from conscious possession of these petitioners, and moreover, the seizure list also appears doubtful being not supported by independent witnesses rather by police personnel. Both petitioners claimed clean antecedent.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of fact as the petitioners are driver and helper of the vehicle, coupled with the fact that the seized chemical

WEB COPY

appears duly purchased from a registered shop for cattle feed purpose as discussed aforesaid, wherein petitioners remain in custody since 09.08.2026, accordingly, both above-named petitioners, who are of clean antecedent, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-II, Katihar in connection with Korha P.S. Case No.271 of 2026, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

Raushan/-

U		T	

WEB COPY