IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77981 of 2026

CNR No. BRHC011122812026

Arising Out of PS. Case No.-421 Year-2026 Thana- HARLAKHI District- Madhubani

==========

Indal Kumar Son of Shatrughan Mukhiya Resident of Village- Phulhar, P.S.- Harlakhi, District- Madhubani

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

==========

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 29-10-2026 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 and Sections 274, 275 and 3(5) of Bihar Prohibition and Excise Act.

3. The case of the prosecution is that two persons were coming from the Nepal side having sacks on their head and seeing the police, they threw the sacks and tried to flee from there but the petitioner was apprehended. It is alleged that from those sacks, altogether 306 liters of illicit Nepali country made liquor was recovered.

4. Learned counsel for the petitioner submits that the

WEB COPY

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. He has no concern with the alleged recovery of liquor. Learned counsel has submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of BNSS while preparing seizure list. Moreover, the petitioner is languishing in judicial custody since 26.09.2026.

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 Harlakhi P.S. Case No. 421 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 Exclusive Special Judge Excise Court-II, Madhubani.

(Ashok Kumar Pandey, J)

Shubham/-

U		T	

WEB COPY