IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78999 of 2026
CNR No. BRHC011153642026
Arising Out of PS. Case No.-159 Year-2026 Thana- KUTUMBA District- Aurangabad

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Gyan Prakash Son of Satyanarayan Paswan R/o Village- Deoriya, P.S.- Kutumba, District- Aurangabad.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mrs. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 04-11-2026 Heard the parties.

2. The petitioner seeks bail in connection with Kutumba P.S. Case No. 159 of 2026 registered for the offences punishable under Section 30(a) of Excise Act.

3. The petitioner is not named in the F.I.R. and is in custody since 02.10.2026.

4. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 43.5 litres of country made liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from motorcycle bearing registration no. JH 03 AC 1786. It is submitted that petitioner is not the registered owner or driver of the said motorcycle. It is submitted further that

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petitioner was not apprehended at the spot and the recovery of illicit liquor was not made from the conscious possession of the petitioner. It is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has already completed as such, there is no chance of tampering with the evidence.

6. Learned APP, opposed the prayer of bail.

7. In view of aforesaid factual and legal submission and by taking note of fact as recovery of illicit liquor *prima-facie* not appears to be made from the physical possession of the petitioner, who is a man of clean antecedent and is in custody since 02.10.2026, accordingly petitioner above named, is directed to be released on bail in connection with Kutumba P.S. Case No. 159 of 2026 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Addl. Sessions Judge cum Exclusive Spl. Judge, Excise court no. 1, Aurangabad /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

Sudha/-

(Chandra Shekhar Jha, J)

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