IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79663 of 2026

CNR No. BRHC011157232026

Arising Out of PS. Case No.-1005 Year-2026 Thana- Excise P.S. District- Nawada

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PAPPU KUMAR Son of Dinesh Ram Resident of village - Mirjapur, Police Station - Nagar, District - Nawada.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

2 18-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Excise P.S. Case No. 1005 of 2026 registered for the offence punishable under Sections 30(a)/41/47 of Bihar Prohibition and Excise Act - 2016/2022(Amended).

3. As per prosecution case, 2.250 litre illicit liquor was recovered from possession of the petitioner and he was apprehended on the spot. It is alleged that one motorcycle was also recovered from the spot.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the FIR and he has been falsely implicated in this

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case. Petitioner is in custody since 24.09.2026 and he bears criminal antecedent of six cases in which he is on bail. He further submits that petitioner is not owner of the said motorcycle in question. Petitioner is not in any way connected with the alleged recovery. Except suspicion, there is nothing on record to connect the present petitioner with the alleged occurrence. No incriminating article has been recovered from conscious possession of the petitioner. Seizure list has not been prepared as per law. Petitioner has nothing to do with the alleged recovery. Hence, the petitioner deserves bail.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that petitioner is FIR named accused and he was apprehended on the spot. Hence, petitioner cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 30,000/- (rupees thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, Excise - II, Nawada in connection with Excise P.S. Case No. 1005 of 2026, subject to

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following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(Alok Kumar Pandey, J)

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