IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79539 of 2026

CNR No. BRHC011158372026

Arising Out of PS. Case No.-85 Year-2026 Thana- Dhrampura District- Rohtas

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Ankit Kumar S/O Sanjay Chaudhary R/O Village- Hathini, P.S.- Dharampura, Distt.- Rohtas at Sasaram

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, 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 Dharampura P.S. Case No. 85 of 2026 registered for the offence punishable under Sections 317(2), 345(3) of B.N.S. and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, 45 litre illicit liquor was recovered from house of the petitioner and he was apprehended at the place of occurrence. 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 falsely been implicated in this

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case. Petitioner is in custody since 28.09.2026 and bears no criminal antecedent. He further submits that petitioner is neither owner of the house from where the alleged recovery has been made nor owner of the alleged motorcycle which was recovered at the place of occurrence. He further submits that place of recovery is a joint property and hence, petitioner cannot be held liable for the alleged recovery. No incriminating article has been recovered from conscious possession of the petitioner. Petitioner has no concern with the seized articles. 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 at the place of occurrence and hence, petitioner cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, period of custody, keeping in view the clean antecedent of the petitioner, 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. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned

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Exclusive Special Excise Judge – II, Rohtas at Sasaram in connection with Dharampura P.S. Case No. 85 of 2026, subject to 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.

(Alok Kumar Pandey, J)

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