IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80643 of 2026

CNR No. BRHC011178592026

Arising Out of PS. Case No.-930 Year-2026 Thana- ALAMGANJ District- Patna

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Ashish Kumar S/O Sushil Kumar Shrivastava R/O Village- Chandi Sonvarsha, Police Station- Charpokhri, District- Bhojpur. At present residing Village- Katra Bazar, Rikabganj, P.S.- Malsalami, District- Patna.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 05-11-2026 Heard the learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner seeks bail in connection with Alamganj P.S. Case No. 930 of 2026 dated 08.10.2026 registered for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition & Excise Act.

3. The prosecution case is to the effect that the police intercepted vehicles on secret information and two Tempos were intercepted and on search, 240 liters of illegal liquor was recovered from one Tempo and 240 liters was recovered from

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the other, while one of the drivers managed to flee and one person was apprehended who disclosed his name as Ashish Kumar (Petitioner).

4. Learned counsel for the petitioner submits that the petitioner is the driver of the Tempo and he was not aware of the consignment kept in the Tempo. It has further been pointed out that the petitioner has no concern with the alleged seized materials and also he is not the owner of the two seized Tempo. Learned counsel for the petitioner has submitted that the petitioner had merely sought a lift from the vehicle and he has no concern whatsoever with the seized materials. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 09.10.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor court in connection with Alamganj P.S. Case No. 930 of 2026, subject to the following terms and conditions :-

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(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(vi) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made

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in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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