IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57409 of 2026

Arising Out of PS. Case No.-360 Year-2026 Thana- Excise P.S. District- Gopalganj

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1. Pawan Kumar S/o Vinod Kumar R/o Street No.3, Chandigarh Road, P.S.- Jiwan Nagar, District- Ludhiyana (Punjab)
2. Jay Kumar Singh S/o Devadhari Singh R/o Jagiraha Ward No. 10, P.S.- Keshariya, District- Motihari (East Champaran)

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Deepankar Raj, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 19-08-2026 Heard learned counsel for the petitioners and learned APP for the State.

02. In the present case, the petitioners seek bail in connection with Excise P.S. Case No. 360 of 2026 registered for the alleged offences under Sections 30(a) and 32 of Bihar Prohibition and Excise Act.

03. As per prosecution case, secret information was received about smuggling of liquor from one silver coloured car. The car was intercepted by the Excise officials. The petitioners are said to be the driver and co-driver of the said vehicle and on search of the vehicle, recovery of 351.000 litres of foreign liquor was made.

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04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners are driver and co-driver of the said vehicle and they were instructed to go to Gopalganj and they were having no knowledge about the consignment being kept in the hidden compartment of the dickey of the car. No independent witness has joined during search and seizure. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners are having clean antecedent and they are in custody since 25.04.2026. Charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioners.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioners, their clean antecedent and submission of charge sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. II, Gopalganj/concerned Court in connection with Excise P.S. Case No. 360 of 2026, subject to the conditions

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mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

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

(ii) The petitioners will remain present on each and every date fixed by the court below.

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

(Arun Kumar Jha, J)

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