IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57847 of 2026

Arising Out of PS. Case No.-215 Year-2026 Thana- NAWADA MUFFASIL District- Nawada

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Sonu Kumar S/o Ramanand Das Resident of Village- Rupauli, PS- Musarigharari, District- Samastipur,

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Man Mohan Kumar, Advocate
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Nawada Mufassil P.S. Case No. 215 of 2026, registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, in the vehicle being driven by the petitioner, recovery of 1494 litre of foreign liquor was made concealed in straw sacks.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner and the petitioner is not the owner of the said vehicle. The owner of

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the vehicle is one Gaurab Kumar from Dhanbad who handed over the vehicle to the petitioner for taking it to Bakhtiyarpur and from there some other driver was to take it to Samastipur. The petitioner was not knowing about the consignment of illicit liquor which was concealed with bags of husk. There is non-compliance of Section 105 of the BNSS regarding search and seizure. The petitioner is having clean antecedent and he is in custody since 26.06.2026. Charge sheet has been submitted.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the period of custody of the petitioner, his clean antecedent and submission charge sheet against the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Nawada/concerned court, in connection with Nawada Mufassil P.S. Case No. 215 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close

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relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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