

In the Court of Exclusive Special Excise Act Court-2, Banka

Katoriya Excise P.S. Case No.- 145/2026

(B.P. Excise No. 574/2026)

Raj Kumar & others vs State of Bihar.

SI No	Date of Order	Order with Signature of P.O.	Action Taken
	<u>12.08.2026</u>	Bail petition filed on behalf of the accused persons namely 1) Raj Kumar & 2) Sumit Kumar, who are in custody since 20.06.2026, in connection with Katoriya Excise P.S. Case no.- 145/2026 under section 30(a) & 32(3) of the Bihar Prohibition and Excise Act 2018 (as Amended) is pressed today. The prosecution's case in brief is that on 20.06.2026 at about 6:05 AM, informant along with other police personnel conducting search of vehicles and breath analyser test at Dardmara Checkpost. They stopped two persons, who were on a motorcycle bearing reg. no.BR 09AQ 2282 for search. On search 42 litres of illicit beer was recovered from two cloth bags, which were kept in middle of both persons. On enquiry, they disclosed their names as 1) Raj Kumar (driver) & 2) Sumit Kumar (driver). Heard the learned Defence counsel as well as the learned Spl.P.P. for the State. Learned Counsel for the petitioners has submitted that the petitioners are innocent and are falsely implicated in this case due to dirty politics and also at the instance of their enemies. Earlier no other bail petition has been filed on behalf of the petitioners either before this Court or before the Hon'ble High Court. Nothing has been recovered from their possession. All allegations are false and concocted. Petitioners are in custody since 20.06.2026 & they have no criminal antecedent. So, they may be released on bail. On the other hand, Learned Spl. P.P. opposed the bail petition. Having heard both the parties and perused the case record and seizure list available on record. It transpires that there is allegation against the petitioners that 42 litres of illicit beer was recovered from two cloth bags, which were kept in middle of both persons, who were riding the aforesaid motorcycle. It further transpires that there is no criminal antecedent of the accused persons in Katoriya Excise P.S., as per para 8 of case diary. Accused is in custody since 20.06.2026. After considering the facts & circumstances of the present case, having no criminal antecedent & period of custody, present bail petition of the accused persons is allowed and they are directed to be released on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each subject to the satisfaction of the court	

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and subject to further condition that one of the bailors shall be close relative of accused/petitioners and they shall also file an undertaking stating therein that they shall not indulge in similar kind of offence in future and if found then the prosecution has liberty to move an application for cancellation of their bail bond and they shall also co-operate in trial of the case, made themselves physically present or well represented on each & every date which will be fixed in case record .

Dictated

(Richa Bhargava)
P.O. Exclusive Special Excise Court-2,
Banka

The bail bond have been filed on behalf of the accused persons namely- 1) Raj Kumar, 2) Sumit Kumar, which are after due verification. O/c is directed to issue release order at once.

S.J.E.C-2

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