

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80276 of 2025

Arising Out of PS. Case No.-1471 Year-2025 Thana- Excise P.S. District- Patna

-
1. Himanshu Kumar S/O Rajendra Kashyap @ Rajinder @ Rajendra Kashyam
R/O Naya Gaon, P.S- Naya Gaon, Distt.- SAS Nagar Mohali, Punjab.
 2. Hardeep Singh S/O Late Karamjeet Singh R/O Jangpura, P.S- Banud, Distt.-
SAS Nagar Mohali, Punjab.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Rai, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-12-2025 Heard learned counsel for the petitioners, learned
APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Excise
Patna P.S. Case No. 1471 of 2025, instituted for the offences
punishable under Sections 30(a) and 56(b) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 5276.88 liters
liquor was recovered from truck and the petitioners were
arrested on spot.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioners. The petitioners have



got no concern with the alleged recovery of liquor. Learned counsel for the petitioners also submits that the petitioners are not the owner of the truck in question. It is further submitted that petitioner no. 1 is helper and petitioner no. 2 driver of the vehicle and both of them have got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioners are in custody since 04.09.2025 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Patna P.S. Case No. 1471 of 2025, subject to the following conditions;

(I) One of the bailors shall be own/close member of the family of the petitioners.



(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

