

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4280 of 2026

Arising Out of PS. Case No.-729 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Arun Kumar Maurya S/o- Ramchandra Maurya R/v- Chandapur Lohata Ps- Lohata Dist- Varanasi, U.P
2. Jitendra Kumar S/o- Radheshyam R/v- Hariharpur Modaw Ps- Rohaniya Dist- Varanasi, U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Ram Bilash Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 27-01-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seeks bail in connection with Bhabua Excise P.S. Case No. 729 of 2025 instituted for the offences punishable under Sections 30(a), 32(i),(iii), 41(i),(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 302.4 litres of illicit foreign liquor was recovered from the two cars.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted



that petitioners are not the owner of the vehicle. It is further submitted that petitioners are the driver of the alleged vehicles in question but he had no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 04.12.2025 and the petitioner no. 1 has one criminal antecedent whereas the petitioner no. 2 has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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 as also 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 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 Bhabua Excise P.S. Case No. 729 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)

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