

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2347 of 2026

Arising Out of PS. Case No.-24 Year-2024 Thana- SRIPUR District- Gopalganj

1. Bholu Rajbhar S/o Jawahir Rajbhar R/o Village - Bhagwanpur, P.S - Bhore, District - Gopalganj
2. Upendra Rajbhar S/o Late Sudama Rajbhar @ Late Sudama Rai R/o Village - Bhagwanpur, P.S - Bhore, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-01-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sirpur P.S. Case No. 24 of 2024 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 107.800 litres of liquor has been recovered from five gunny bags.

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 rather the recovery has been made from an open place which is accessible to public at large. The



petitioners have got no concern with the alleged recovery of liquor. The petitioner are in custody since 16.10.2025 and have 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 Sirpur P.S. Case No. 24 of 2024.

(Rudra Prakash Mishra, J)

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