

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.856 of 2026

Arising Out of PS. Case No.-901 Year-2025 Thana- FATUA District- Patna

1. Ranjit Kumar Pandey S/o Sri Shiv Prasan Pandey R/o Village- Bhada, ward no 3, PS- Bagen Gola, District- Buxar
2. Vishal Raj S/o Sri Uma Shankar Pandey R/o Mohalla - Adarsh Colony, P.S.- Malsalami, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Fatuha PS Case No. 901 of 2025 instituted for the offences under Sections 30(a) & 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 1987.2 liters of foreign liquor was recovered from the oil tanker, car and motorcycle parked in the house.

4. Learned counsel for the petitioners submit 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 submit that the petitioners are neither the driver nor the owner of the said vehicles in question and they were implicated in this case by the police with ulterior motive. The petitioners are in custody since 06.12.2025 and have got one criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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 petitioner.

7. Let the petitioner no. 1 be released on bail and petitioner no. 2, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Fatuha PS Case No. 901 of 2025, subject to the following conditions:

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

(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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