

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4364 of 2026

Arising Out of PS. Case No.-658 Year-2025 Thana- DHAKA District- East Champaran

1. Golu Kumar @ Aditya Kumar S/o- Nagendra Chaudhary R/v- Pachtaki Ps- Berganiya Dist- Sitamarhi
2. Vicky Kumar S/o- Suresh Chaudhary R/v- Pachtaki PS- Berganiya Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, 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 seek bail in Dhaka P.S. case No. 658 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 225 liters liquor was recovered from motorcycle and the petitioner was 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. It is further submitted that the motorcycle in question does not belong to the petitioners. The petitioners were passerby of the way and have become victim of circumstances. The petitioners are in custody since 26.11.2025 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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, clean antecedent of the petitioner 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 on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhaka P.S. case No. 658 of 2025.

(Rudra Prakash Mishra, J)

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