

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4455 of 2026

Arising Out of PS. Case No.-205 Year-2025 Thana- EXCISE ROSERA District- Samastipur

1. Aditya Raj Son of shiv Kumar Poddar R/O- Bombaiya Harlal (Bomaia Harlal), P.S.- Dalsinghsarai, Dist- Samastipur
2. Devdatt Kumar son of Shankar Mahto R/O- Bombaiya Harlal (Bomaia Harlal), P.S.- Dalsinghsarai, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, 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 connection with Excise
Rosera PS Case No. 205 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 546.840 liters
foreign liquor was recovered from bushes.

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



submitted that recovery is from an open place, which is accessible to one and all. The petitioners are in custody since 09.12.2025 and petitioner No.1 bears one criminal antecedent, whereas petitioner No.2 bears no 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 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 Excise Rosera PS Case No. 205 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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