

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4335 of 2026

Arising Out of PS. Case No.-386 Year-2025 Thana- GUTHANI District- Siwan

1. Priyanshu Kumar S/o Mithilesh Kumar Ray R/o vill - Taraghuman Patori, P.S.- Patori, Distt.- Samastipur
2. Rahul Kumar S/o Nagdev Ray R/o vill - Taraghuman Patori, P.S.- Patori, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah, Advocate

For the Opposite Party/s : Mr.Akbar Ali, 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 Guthani P.S. case No. 5135013250386(386) 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 251.490 liters liquor was recovered from car and the petitioners were 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 petitioners are driver and co-driver of the vehicle and they had no knowledge regarding the nature of goods kept in vehicle. The petitioners have also no concern with sale and purchase of illegal liquor. The petitioners are in custody since 15.12.2025 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 and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioner no. 1 be released on bail and petitioner No. 2 be released on bail, ***after framing of charge, if not already framed***, 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 Guthani P.S. case No. 5135013250386(386) 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.

Pankaj/-

(Rudra Prakash Mishra, J)

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