

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4246 of 2026

Arising Out of PS. Case No.-1074 Year-2025 Thana- Excise P.S. District- Kishanganj

1. Manish Kumar Singh S/O Braj Kishor Singh R/O Vill.- Tamaut Parsa, ward no.- 05, Thana- Murliganj, District- Madhepura
2. Mithun Kumar Son of-Surendra Rai Resident of village- Bhatkhora Ward no. 04, P.S. Murliganj , District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, 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 Madya Nisedh P.S. Case No. 1074 of 2025, giving rise to Special Case No. 1092 of 2025 instituted for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 135 litres of liquor was recovered from car.

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. The petitioner no. 1 is the driver and the petitioner no. 2 is the co-driver of the said vehicle and they have no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 22.12.2025 and has 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 Madya Nisedh P.S. Case No. 1074 of 2025, giving rise to Special Case No. 1092 of 2025.

(Rudra Prakash Mishra, J)

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