

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5517 of 2026

Arising Out of PS. Case No.-87 Year-2025 Thana- SAHJAHANPUR District- Patna

1. Sunny Kumar son of Sulindra Paswan @ Surendra Paswan Resident of Village- Zafrabad, Ps- Fatuha, Dist- Patna
2. Pankaj Kumar son of Lal Bahadur Paswan Resident of Village- Zafrabad, Ps- Fatuha, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Kumar Chaudhary, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 29-01-2026 Heard Mr. Shyam Kumar Chaudhary, learned counsel for the petitioners and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioners seek bail in connection with Shahjahanpur PS Case No. 87 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 80 liters country made liquor was recovered from motorcycle.

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 petitioners are not the owner of the motorcycle and they have no concern with the same. The petitioners are in custody since 17.11.2025 and has got two criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted bail by this Court vide order dated 17.11.2025, passed in Cr. Misc. No. 77384 of 2025.

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 Shahjahanpur PS Case No. 87 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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