

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4641 of 2026

Arising Out of PS. Case No.-3664 Year-2025 Thana- Excise P.S. District- Patna

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1. Pintu Soni Son of Om Prakash Resident of Village- Mahajpura, P.S.- Bikram, District- Patna
 2. Govind Gupta Son of Om Prakash Resident of Village- Mahajpura, P.S.- Bikram, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Kameshwar Singh, Advocate
For the Opposite Party : Mrs. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Special Case No. 4083/2025 in Excise Patna P.S. Case No. 3664/2025 instituted for the offences punishable under Sections 30(a), 41 and 56(b) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 140 litres of illicit country-made liquor was recovered from two e-rickshaw.

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. Learned counsel further submitted that petitioners are owner-cum-driver of the vehicles in question but he had no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 29.11.2025 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, ***after framing of charge, if not already framed***, 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 Special Case No. 4083/2025 in Excise Patna P.S. Case No. 3664/2025, 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.

(Rudra Prakash Mishra, J)

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