

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5982 of 2026

Arising Out of PS. Case No.-293 Year-2025 Thana- BOCHAHAN District- Muzaffarpur

1. Raushan Kumar Son of Ganeshi Sah @Ganesi Sah Resident Of Village - Beraï, ps- Hathauri, Dist- Muzaffarpur
2. Gauri Kumar @ Ravi Gupta @ Gaudi Kumar son of Rajgir Sah Resident Of Village - Beraï, ps- Hathauri, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 31-01-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Bochahan P.S. Case No. 293 of 2025, instituted for the offences punishable under Sections 317(5), 338, 336(3), 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1593.36 liters liquor was recovered out of which 963 liters liquor was recovered from Scorpio car.

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. Learned counsel for the petitioners also submitted that the petitioners are neither owner nor driver of the car in question rather they have been arrested only on the basis of suspicion. The petitioners are in custody since 10.12.2025 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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 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/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bochahan P.S. Case No. 293 of 2025.

(Rudra Prakash Mishra, J)

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