

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9049 of 2026

Arising Out of PS. Case No.-330 Year-2025 Thana- SURYAGARHA District- Lakhisarai

1. Banti Kumar S/O Prakash Yadav R/O Village- Bannu- Bagicha, P.S- Bannu Bagicha, Distt.- Lakhisarai.
2. Nitish Kumar S/O Umesh Yadav R/O Village- Sitarampur, P.S- Suryagarha, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Sahay, Advocate

Ms. Harshita, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 12-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Suryagarha P.S. case
No. 330 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 120 liters
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



further submitted that petitioner No. 1 was driving the motorcycle and petitioner No. 2 was sitting as pillion rider. They have no concern with the seized liquor. The petitioners are in custody since 17.12.2025 and have got one criminal antecedent each. 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 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 Suryagarha P.S. case No. 330 of 2025.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

