

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8447 of 2026

Arising Out of PS. Case No.-1357 Year-2025 Thana- EXCISE KAHALGAON District-
Bhagalpur

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1. Pintu Singh Son of Vinod Ram R/o Vill.- Sabour Bazar Ward No.- 4, P.S.- Sabour, Dist.- Bhagalpur
 2. Sumit Kumar Son of Chotu Mandal @ Chhuto Mandal R/o Vill.- Sabour Bazar Ward No.- 4, P.S.- Sabour, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mrs.Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Excise (Kahalgaon) P.S.
case No. 1357 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 99 liters liquor
was recovered from tempo and the petitioners were arrested on
spot.

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 is driver and petitioner No. 2 was sitting by the side of the driver and they had no knowledge regarding the nature of goods kept in vehicle. The petitioners are in custody since 12.12.2025 and have got no criminal antecedent. 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, clean antecedent and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let both 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 Excise (Kahalgaon) P.S. case No. 1357 of 2025, subject to the following conditions to petitioner No. 1:

(I) One of the bailors shall be own/close member of the family of the petitioner No. 1.

(II) The petitioner No. 1 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 petitioner No. 1.

(Rudra Prakash Mishra, J)

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