

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13699 of 2026

Arising Out of PS. Case No.-248 Year-2025 Thana- EXCISE UDAKISHUNGANJ District-
Madhepura

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1. Dilip Kumar Son of Chamanlal Sharma @ Chamalal Sharma Resident of village - Madhwapur Ward No.- 05, P.S.- Bhawanipur, District - Purnia.
 2. Kokai Sharma Son of Late Chakradhar Sharma Resident of village - Madhwapur Ward No.- 05, P.S.- Bhawanipur, District - Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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

ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with
Udakishunganj PS Case No. 248 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 200 liters
liquor was recovered from e-rickshaw.

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 names of the petitioners have surfaced in this case as being driver and passenger of the vehicle in question, respectively and they were oblivious of the fact that illicit liquor was laden in the vehicle. The petitioners are in custody since 06.12.2025 and have got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 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, *after framing of charge, if not already framed*, 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 Udakishunganj PS Case No. 248 of 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)

Raj Kishore/-

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