

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8049 of 2026

Arising Out of PS. Case No.-488 Year-2025 Thana- MADHUBAN District- East Champaran

1. Gunjan Kumar S/o Achhelal Rai Resident of village - Banjariya, P.S - Madhuban, District - East Champaran
2. Kameshwar Rai S/o Krishnadev Rai @ Krishandev Ray Resident of village - Banjariya, P.S - Madhuban, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Madhuban P.S. case No. 488 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 483.84 liters liquor was recovered from field 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 recovery has been made from an open place accessible to public at large. The petitioners have been falsely implicated by the police with ulterior motive. The petitioners are in custody since 30.12.2025 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 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 Madhuban P.S. case No. 488 of 2025.

(Rudra Prakash Mishra, J)

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