

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12016 of 2026

Arising Out of PS. Case No.-306 Year-2025 Thana- MEHSI District- East Champaran

1. Santosh Kumar S/o Jitan Bhagat R/o village- Kankati, PS- Mehshi, Dist- East Champaran
2. Dharmendra Kumar @ Dharmendra Prasad S/o Chandeshwar Prasad @ Chandeshwar Bhagat R/o village- Kankati, PS- Mehshi, Dist- East Champaran
3. Vivek Kumar S/o Badri Bhagat R/o village- Kankati, PS- Mehshi, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 23-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Mehshi PS Case No. 306 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 1205.640 liters foreign liquor was recovered from open land.

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 recovery is from an open place, which is accessible to one and all. The petitioners are in custody since 15.11.2025 and petitioner No.1 bears, three criminal antecedents, petitioner No.2 bears five criminal antecedents and petitioner No.3 bears two criminal antecedents. 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 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 Mehsi PS Case No. 306 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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