

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10947 of 2026

Arising Out of PS. Case No.-553 Year-2025 Thana- RAJAOLI District- Nawada

1. Santosh Kumar @ Santosh Singh S/o- Charku Singh Village- Jharahi, P.S. -Rajauli, Dist- Nawada
2. Ramvilash Singh S/o- Charku Singh Village- Jharahi, P.S. -Rajauli, Dist- Nawada

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Ms. Shaheen Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 17-02-2026 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) and 30(d) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the recovery is of 450 liters of liquor from a motorcycle.

4. Learned counsel for the petitioners submits that the name of the petitioners have surfaced in the case on account of suspicion. It is next submitted that no recovery has been made from the physical and conscious possession of the petitioners. It is further submitted that the name of the



petitioners transpired in this case on the basis of secret information by local chowkidar which has no evidentiary value.

5. The application is opposed by the learned APP for the State.

6. Considering the fact that no recovery has been made from physical conscious possession of the petitioners and that, in fact, recovery is from an open space on the bank of river which is accessible to all, let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-2, Nawada in connection with Rajauli P.S. Case No. 553 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and subject to the further condition that:-

(i) the petitioners shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioners and in case it is found that the petitioners have concealed their criminal antecedent, the



Court below shall take step for cancellation of bail bond of the petitioners. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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