

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12375 of 2026

Arising Out of PS. Case No.-22 Year-2026 Thana- EXCISE NAUGACHIA District-
Bhagalpur

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1. Gulsar @ Gulsher S/O Sammeddin R/O Vill.- Loni Ward no. 47, P.s.- Loni, Dist.- Ghaziabad, U.P.
 2. Vikash Kumar S/O Late Chandrashekhar Ram R/O Vill.- Rupanpatti no. 8, P.S.- Dhali Sakra @ Dholi Sakra, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, 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 Excise Naugachiya P.S. Case No. 22 of 2026, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 872.640 liters liquor was recovered from truck and both 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. Learned counsel for the petitioners also submitted that the petitioners are not the owner of the vehicle in question rather they are driver and passenger of that vehicle and both of them have got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioners are in custody since 06.01.2026 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Naugachiya P.S. Case No. 22 of 2026, 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)

Rajorshi/-

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