

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11938 of 2026

Arising Out of PS. Case No.-5 Year-2026 Thana- BHAGWAN BAZAR District- Saran

1. Sanju Devi Wife of Sanjay Prasad Resident of village- Nai Bazar PS -Bhagwan Bazar District- Saran
2. Sahil Kumar Son of Sanjay Prasad Resident of village- Nai Bazar PS -Bhagwan Bazar District- Saran
3. Govinda Kumar Son of Lakshman Chaudhary Resident of village- Nai Bazar PS -Bhagwan Bazar District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, 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 Bhagwan Bazar P.S. Case No. 5 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 total 42.78 litres of liquor has been recovered from the house of the petitioners.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case.



No incriminating article has been recovered from the conscious possession of the petitioners rather the recovery has been made from the joint house of the petitioners where other family members of the petitioners also reside. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 05.01.2026. Petitioner nos. 1 and 2 have no criminal antecedent whereas petitioner no. 3 has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika 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 Bhagwan Bazar P.S. Case No. 5 of 2026.

(Rudra Prakash Mishra, J)

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