

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11570 of 2026

Arising Out of PS. Case No.-193 Year-2026 Thana- Excise P.S. District- East Champaran

1. SANJEEV KUMAR Son of Ganesh Sah Resident of village - Basantpur, P.S.- Kundwa Chainpur, District - East Champaran.
2. Sachin Kumar Son of Ramadhar Sah Resident of village - Basantpur, P.S.- Kundwa Chainpur, District - East Champaran.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Mishra, Advocate
		Mr. Sujeet Kumar, Advocate
		Mr. Sonu Singh, Advocate
For the Opposite Party/s :		Mr. Anand Kishore Choudhary

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 16-02-2026 This case has been notified for out of turn/early hearing on the special mentioning made by learned counsel for the petitioners that matriculation examination of the petitioner no.1 is scheduled to start from tomorrow (17.02.2025) and photocopy of the admit card of the petitioner no.1 has also been annexed with the mentioning slip, which is also on record.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners seek bail in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act.

4. The allegation in the first information report is that while the police was on patrolling duty, on search 61.200



liters of Nepali country liquor is said to have been recovered from the motorcycle on which both the petitioners were riding.

5. It is submitted by learned counsel for the petitioners that the petitioners are neither the owner of the seized motorcycle nor the owner of the seized wine. It is further submitted that the F.I.R. has been lodged after preparation of the seizure list. Further, there is no independent witness to the search and seizure thereby violating the mandatory provisions thereof. Petitioners are young boys, having no criminal antecedent and have been languishing in custody since 22.01.2026.

6. Learned APP for the State opposed the bail petition.

7. Taking into consideration the facts and circumstances of the case and also considering the fact that the petitioners are young boys and have no criminal antecedent, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Excise P.S. Case No.193 of 2026.

(Soni Shrivastava, J)

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