

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13240 of 2026

Arising Out of PS. Case No.-228 Year-2025 Thana- TETERHAT District- Lakhisarai

1. Shankar Kumar S/o Jhaman Bind @ Manoj Ram Resident of Village- Doripar, P.S.- Masaudhi, Distt.- Patna
2. Sinku Kumar So Nageshwar Singh R/o- Barchaiata, P.S.- Tankuppa, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Tetarhat
P.S. Case No. 228 of 2025 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 1612.8
litres of liquor was recovered from parcel vehicle.

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. Learned counsel further submitted
that petitioners are not the owner of the vehicle. It is further



submitted that petitioner no.1 is the driver of the vehicle in question whereas petitioner no.2 is the *khalasi* and both the petitioners have got no concern with the loaded articles/liquor. The petitioners are in custody since 14.12.2025. Petitioner no. 1 has one criminal antecedent whereas petitioner no. 2 has no criminal antecedent. 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, *after framing of charge, if not already framed*, 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 Tetarhat P.S. Case No. 228 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)

Alok Verma/-

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