

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16044 of 2026

Arising Out of PS. Case No.-133 Year-2025 Thana- BAIRGACHHAI District- Araria

1. Vikash Kumar S/O Satyendar Sahani Resident of Village- Rahuwavir Narayan, Ward No. 05, Police Station- Musahari, District- Muzaffarpur.
2. Sanni Kumar S/O Arun Sahani Resident of Village- Rahuwavir Narayan, Ward No. 05, Police Station- Musahari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-03-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. The case of the prosecution, in short, is that from a car altogether 160.71 liters of country made foreign liquor was recovered.

4. Learned counsel for the petitioners submits that two persons were in the car. Petitioner no.1, namely, Vikash Kumar is driver of the said car and petitioner no.2, namely, Sanni Kumar is the passenger in that car. Learned counsel for the petitioners has submitted that petitioners were unaware of the illicit liquor and



recovered thereof. It has further been submitted that nothing has been recovered from the possession of these petitioners. Learned counsel for the petitioners has further submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. Learned counsel for the petitioners has further submitted that the petitioners are having no criminal antecedent and they are in judicial custody since 07.12.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Baigachhi P.S. Case No. 133 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) each of them with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Araria.

(Ashok Kumar Pandey, J)

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