

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15161 of 2026

Arising Out of PS. Case No.-539 Year-2025 Thana- PATAHI District- East Champaran

1. Ashutosh Kumar S/o Vijay Kumar Resident of Village- Bakhari, P.S.- Patahi, District- East Champaran
2. Ravi Ranjan Kumar S/o Ramakant Sah Resident of Village- Bakhari, P.S.- Patahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Eashita Raj, Advocate
For the State	:	Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-03-2026 Heard Mr. Eashita Raj, learned counsel for the petitioners and Mr. Pradeep Narain Kumar, learned APP for the State.

2. Petitioners seek bail, who are in custody since 21.12.2025, in connection with Patahi P.S. Case No. 539 of 2025, F.I.R. dated 19.12.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Recovery is of 450 litres of Nepali Sofi liquor.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. It appears from the F.I.R. as well as seizure list that altogether 450 litres of Nepali Sofi liquor was recovered from behind the grocery shop of petitioner no. 1 and the petitioners have been made accused on the basis of suspicion and except suspicion, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and the petitioners are in custody since 21.12.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and nothing has been recovered from the conscious possession or the house of the petitioner, let the petitioners, above named, be released 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 learned Exclusive Special Excise Acourt No. III, East Champaran at Motihari in connection with Patahi P.S. Case No. 539 of 2025, subject to the following conditions :-



(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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