

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23144 of 2026

Arising Out of PS. Case No.-45 Year-2026 Thana- Excise P.S. District- Supaul

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1. Shankar Kumar @ Raushan Kumar Son of Mahendra Yadav Resident of Village- Kaushalipatti ward no. 18, P.S.- Pipra, District- Supaul
 2. Mahendra Yadav Son of Late Ram Kishun Yadav Resident of Village- Kaushalipatti ward no. 18, P.S.- Pipra, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate
For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-04-2026 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 Act.

3. The case of the prosecution is that altogether 426 liter of country made liquor was recovered from various places of the house of the petitioner, namely, Mahendra Yadav.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Learned counsel for the petitioners has submitted that nothing has been recovered from the possession of the petitioners. They have been falsely implicated in this case. They have no concern



with the alleged recovery. There is no independent witness of the seizure list rather they are police personnel. Police has not complied Section 105 of BNSS while preparing the seizure list. Moreover, the petitioners are languishing in judicial custody since 01.02.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that petitioners are having criminal of similar nature.

6. Having heard learned counsel for the parties and considering the 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 Supaul Sadar Prohibition and Excise P.S. Case No. 45 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No. 2, Supaul **with a condition that they will not indulge themselves in similar nature of offences in future.**

(Ashok Kumar Pandey, J)

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