

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20599 of 2026

Arising Out of PS. Case No.-22 Year-2026 Thana- BUXAR MUFFSIL District- Buxar

1. Himanshu @ Himanshi @ @ Happy S/O Sanjeev Kumar Resident of village- Bahadurgardh, police station- linepaar, district- Jhajhar, Hariyana.
2. Niraj S/O Mahaveer Singh Resident of village- Bahadurgardh, police station- Sadar Bahadurgardh, District- Jhajhar, Hariyana.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 31-03-2026 Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners have prayed for bail in connection with Buxar (M) P.S. Case No. 22 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that from a four wheeler altogether 352.5 liters of illicit foreign liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have



committed no offence. They have been falsely implicated in this case. He also submits that one of the petitioners was driving the said vehicle and another was sitting by the driver. He further submits that the petitioners were unaware of the alleged liquor. Nothing has been recovered from the possessions of these petitioners. He further submits that the witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. Moreover, the petitioners are languishing in judicial custody since 19.01.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioners are having criminal antecedent of two cases.

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 **with the condition that the petitioners shall cooperate in trial and shall remain physically present on each and every date fixed by the learned trial court.** The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Special



Court No. 1, Buxar in connection with Buxar (M) P.S. Case No.
22 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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