

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21516 of 2026

Arising Out of PS. Case No.-14 Year-2026 Thana- Araria Sangram District- Madhubani

1. Bhogendra Kumar Sah Son of Thagai Sah @ Thakko Sah @ Kapildeo Sah @ Kapildev Sah R/o Village - Narahiya, P.S. - Narahiya, District - Madhubani.
2. Gopal Kumar Son of Ram Sagar Sah @ Ramsagar Sah R/o Village - Narahiya, P.S. - Narahiya, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioners and the learned
APP for the State.

2. The petitioners have prayed for bail in connection with Arariya Sangram P.S. Case No. 14 of 2026 corresponding to G.R. No. 94 of 2026 registered for the offence punishable under Sections 274, 275, 3/5 of the B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that from a vehicle, altogether 288 liters of Nepali country-made liquor were recovered. Petitioner no. 1 is a driver, whereas petitioner no. 2 is a passenger in the alleged vehicle.

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 nothing has been recovered from the possession of these petitioners. They were unaware of the illicit liquor being kept in the vehicle. 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 21.02.2026.

5. The application for bail is opposed by learned APP for the State and submits that petitioner no. 1 is having criminal antecedent of one case, whereas petitioner no. 2 is a man of clean antecedent.

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 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 Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Arariya Sangram P.S. Case No. 14 of 2026 corresponding to G.R. No. 94 of 2026.

(Ashok Kumar Pandey, J)

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