

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23001 of 2026

Arising Out of PS. Case No.-390 Year-2026 Thana- Excise P.S. District- East Champaran

1. Toofan Kumar @ Tufan Kumar S/O Dipak Kumar Sahani @ Deepak Kumar Sahani R/O Village- Telahiya Ward No. 13, P.S.- Sugauli, Distt.- East Champaran.
2. Arvind Kumar @ Arbind Kumar S/O Krishna Sahani @ Krishna Sahni R/O Village- Telahiya Ward No. 13, P.S.- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-04-2026 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 from a bike, altogether 65 liters of country made liquor was recovered.

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. The witnesses of the seizure list are police personnel and police has not complied Section 105 of BNSS while preparing seizure list. Moreover, they are languishing in judicial custody since 08.02.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that petitioners are having criminal antecedent of one case each 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 Excise P.S. Case No. 390 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 Excise Court No. 2 Motihari, East Champaran **with a condition that they will not indulge themselves in similar nature of offence in future.**

(Ashok Kumar Pandey, J)

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