

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28227 of 2026

Arising Out of PS. Case No.-37 Year-2026 Thana- CHAPRA RAIL P.S. District- Saran

1. Abhijit Hari, S/o Horen Hari, R/o Village - Asansol, P.S. - South, District - Bardhaman, W. Bangal
2. Rahul Saw, S/o Suraj Saw, R/o Village - Asansol, P.S. - North, District - Bardhaman, W. Bangal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 04-05-2026 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, in short is that from a bogie of train, altogether 85.860 liters of illicit foreign liquor was recovered.

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



that the witnesses of the seizure list are police personnel. Police has not complied Section 105 of the B.N.S.S. while making the seizure. Petitioners are having no criminal antecedent and they are languishing in judicial custody since 23.02.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

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 Chapra Rail P.S. Case No. 37 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 3rd Exclusive Special Excise Judge, Saran at Chapra.

(Ashok Kumar Pandey, J)

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