

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24761 of 2026

Arising Out of PS. Case No.-20 Year-2026 Thana- Banma Itahari District- Saharsa

1. Ajay Kumar Son of Sri Kishori Yadav @ Kishore Yadav Resident of Village- Hindupur/Hindhupur, Ward No.7, P.S.- Simri Bakhtiyarpur, District- Saharsa
2. Haribol Kumar @ Haribol Yadav Son of Sri Kailash Yadav Resident of Village- Dhav Ward No.9, P.S.- Simri Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Pronoti 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 sections 30(a) and 41 of Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a vehicle, altogether 107.3 liters of wiscuf cough syrup 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 petitioners are merely sitting on that vehicle. Nothing has been recovered from their possession. The witnesses of the seizure



list are police personnel and police has not followed Section 105 of BNSS while preparing the seizure list. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 03.02.2026.

5. Learned APP appearing for the state has 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 Banma Ithari P.S. Case No. 20 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 Judge-I, Saharsa.

(Ashok Kumar Pandey, J)

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