

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25747 of 2026

Arising Out of PS. Case No.-82 Year-2026 Thana- TERHAGACHH District- Kishanganj

1. Manzar Hussain S/o Jaal Mohammad, R/o Masjid Tola Siktiya, Ward no. 4, P.S.- Jokihat, Dist.- Araria.
2. Ali Hasan @ Md Ali Hasan S/o Jabbar @ Abdul Jabbar, R/o Masjid Tola Siktiya, Ward no. 4, P.S.- Jokihat, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Ziaul Quamar, Advocate Ms. Puja Kumari, Advocate Mr. Nazia Quamar, Advocate
For the Opposite Party/s	:	Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-04-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Special Case No. 92 of 2026, arising out of Tedhagachh P.S. Case No. 82 of 2026, dated 09.03.2026, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, secret information was received about transportation of liquor from Nepal to India on a three-wheeler. Acting upon the tip-off, the said auto was signaled to stop, and two persons started running away leaving behind the auto. Both of them were apprehended and on search of the auto, recovery of 129.300



litres of country made Nepali liquor was made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioners are innocent and they have falsely been implicated in the present case. Nothing incriminating has been recovered from conscious possession of the petitioners. The alleged recovery has been shown from an auto and the petitioners are neither owner nor driver of the said vehicle. Petitioners were apprehended merely on the basis of their presence in the auto though nothing incriminating has been recovered from the conscious possession of the petitioners. The FIR does not even disclose whether the petitioners were owners or drivers of the vehicle in question. Learned counsel next submits that petitioner no. 1 has clean antecedent while petitioner no. 2 has one criminal antecedent in which he is on bail. Learned counsel lastly submits that petitioners are in custody since 10.03.2026.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of recovery and also considering the period of custody of the petitioners, the petitioners, above-named, are directed to be



released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise-I), Kishanganj / concerned Court, in connection with **Special Case No. 92 of 2026, arising out of Tedhagachh P.S. Case No. 82 of 2026**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

Shahnawaz/-

U		T	
---	--	---	--

