

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28298 of 2026

Arising Out of PS. Case No.-30 Year-2026 Thana- Bahera District- Gaya

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1. Sandeep Kumar S/o Kamal Roy R/o Village- Japharpur, PS- Danapur, District- Patna
 2. Dharamjeet Kumar S/o Ravinder Saw R/o Village- Japharpur, PS- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-05-2026 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 sections 30(a) and 33 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a parcel van, altogether 1359 liters of illicit foreign liquor and 120 liters of spirit were 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 and also they are unaware of the alleged consignment. There is no independent witness of the seizure list rather they police personnel and police has not complied 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 14.02.2026.

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 Bahera P.S. Case No. 30 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. 5, Gaya.

(Ashok Kumar Pandey, J)

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