

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27335 of 2026

Arising Out of PS. Case No.-41 Year-2026 Thana- EXCISE JAGDISHPUR District- Bhojpur

1. Vishal Kumar S/o- Mohan Singh R/v- Garuda W.No-8, Ps- Sanjhauli Dist-Rohtas
2. Prince Kumar S/o- Yamuna Singh R/v- Garuda W.No-8, Ps- Sanjhauli Dist-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Malti Kumari, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in connection with Jagdishpur P.S. Case No. 41 of 2026 registered for the offence punishable under Sections 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2018.

3. The case of the prosecution, in short, is that from a Tata Sumo Gold vehicle 120 litres of foreign liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Learned counsel for the petitioners has submitted that petitioner no. 1, namely Vishal Kumar is the driver of the



said vehicle whereas the petitioner no. 2, namely Prince Kumar is the passenger. It has further been submitted that nothing has been recovered from the possession of these petitioners. The witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while preparing the seizure list. Learned counsel for the petitioners has further submitted that petitioners are in custody since 01.04.2026 having no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the court of learned Exclusive Special Judge Excise Court-II, Bhojpur, Ara, in connection with Jagdishpur P.S. Case No. 41 of 2026.

(Ashok Kumar Pandey, J)

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