

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28203 of 2026

Arising Out of PS. Case No.-12 Year-2026 Thana- SIMRI District- Darbhanga

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1. Tribhuban Rai @ Tribhuvan Rai, S/O Kapleshwar Rai, R/O Mohanpur, P.S- Minapur, Distt.- Muzaffarpur.
 2. Niranjan Prasad Rai, S/O Kapildev Singh, R/O Baraitha, P.S- Katra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Arun 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 is that from a truck, 1827 liters of illicit foreign liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. Petitioners are the driver and co-driver of the said truck. It has further been submitted that nothing has been recovered from their possession. They were unaware of the consignment. It has



further been submitted that the seizure list witnesses are police personnel. Police has not complied Section 105 of the B.N.S.S. while making the seizure. They are having no criminal antecedent and they are languishing in judicial custody since 01.02.2026.

5. Learned APP appearing for the State has vehemently opposed the application for 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 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 learned Exclusive Special Judge-II (Excise Act), Darbhanga in connection with Simri P.S. Case No. 12 of 2026.

(Ashok Kumar Pandey, J)

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