

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28942 of 2026

Arising Out of PS. Case No.-45 Year-2026 Thana- CHHAURADANO District- East
Champaran

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1. Brijesh Kumar @ Dinesh Kumar S/O Manoj Singh R/O Vill.- Sukhahiya,
P.s.- Darpa, District- East Champaran
 2. Bhushan Paswan S/O Suraj Paswan R/O Vill.- Harizan Tola, P.s.- Darpa,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Braj Kishore Pd.(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 section 30 (a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in brief, is that a total of 219 litres of Nepali country-made liquor was allegedly recovered from three persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the conscious possession of



these petitioners. It is further submitted that the witnesses to the seizure list are all police personnel, and the mandatory provisions of Section 105 of the BNSS have not been complied with at the time of seizure. Moreover, the petitioners are languishing in judicial custody since 12.02.2026 having no criminal antecedent.

5. Learned APP has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid 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 Chhauradano P.S. Case No. 45 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, Civil Court No. 2, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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