

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29852 of 2026

Arising Out of PS. Case No.-49 Year-2026 Thana- Excise P.S. District- Bhojpur

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1. Munna Kumar S/O Arun Mahto (Driver) R/O Malpur Ward no. 3, P.S.- Tajpur, Halai O.P., Dist.- Samastipur.
 2. Prasant Kumar @ Prashant Kumar S/O Raju Mahto @ Raj Mahto R/O Jatmalpur ,Ward no. 7, P.s.- Kalyanpur, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in connection with Excise Ara P.S. Case No. 49 of 2026 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that from a XUV-500 car, altogether 117 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. He also submits that nothing has been recovered from the



possession of the petitioners. The witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He further submits that petitioner no. 1 is the driver of the said car, whereas petitioner no. 2 has taken lift. Moreover, the petitioners are languishing in judicial custody since 09.03.2026.

5. The application for bail is opposed by learned APP for the State and submits that petitioner no. 1 has got 2 criminal antecedent whereas petitioner no. 2 has no criminal antecedent.

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 Excise Court No.II, Bhojpur at Ara in connection with Excise Ara P.S. Case No. 49 of 2026.

(Ashok Kumar Pandey, J)

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