

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.34687 of 2026

Arising Out of PS. Case No.-82 Year-2026 Thana- Excise P.S. District- Saran

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1. Chandan kumar S/o Ram Ayodhya Ram R/o Village- Maruaa Araj Murwa Araj), Police station - Isuapur, District- Saran Chapra
 2. Genu Kumar @ Golu Kumar @ Ganu Kumar S/o Late Jogindar Ram R/o Village- Maruaa Araj Murwa Araj), Police station - Isuapur, District- Saran Chapra

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate.

For the Opposite Party/s : Mrs. Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in connection with Sadar Excise P.S. Case No. 82 of 2026 registered for the offence punishable under Sections 30(a) & 32(3) of the Bihar Prohibition & Excise Act.

3. The case of the prosecution, in short, is that from the motor cycle altogether 40 litres of country made liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners have submitted that petitioner no.1 was plying the bike, whereas, petitioner no. 2 was sitting on the passenger seat of motor cycle. It has further been submitted that nothing has been recovered from the possession of these petitioners.



Learned counsel for the petitioners have further submitted that the witnesses of the seizure list are police personnel and police have not complied Section 105 of the BNSS while making seizure. Learned counsel for the petitioners have further submitted that the petitioners are having no criminal antecedent and they are in judicial custody since 04.04.2026.

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 3rd Exclusive Special Excise Court, Saran, Chapra in connection with Sadar Excise P.S. (Excise Thana Sadar Saran) Case No. 82 of 2026.

(Ashok Kumar Pandey, J)

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