

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31677 of 2026

Arising Out of PS. Case No.-66 Year-2026 Thana- Roshna District- Katihar

1. Mukesh Kumar Giri S/O Manoj Kumar Giri Resident of Bihjadi, Police Station- Deshri Sahdei, Distt.- Vaishali.
2. Aadarsh Kumar @ Adarsh Kumar S/O Arbind Kumar R/O Mahthi, P.S- Ujjiyarpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Sweety Sinha, Advocate.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail registered for the offence punishable under Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution, in short, is that from a four wheeler, altogether 145.15 liters of illicit foreign liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. He also submits that petitioner no. 1 is the driver, whereas petitioner no. 2 is the passenger in the said car. He further submits



that the petitioners are unaware of the consignment being kept in the said car. Nothing has been recovered from the possession of the petitioner. 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. Moreover, the petitioners are languishing in judicial custody since 26.03.2026.

5. The application for bail is opposed by learned APP for the State and submits that petitioner no. 1 has criminal antecedent of one case of similar nature, 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-II, Katihar in connection with Roshna P.S. Case No. 66 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-
Raushan/-

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