

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33179 of 2026

Arising Out of PS. Case No.-43 Year-2026 Thana- Baijnathpur District- Saharsa

-
1. Ajay Kumar Choudhary, S/O Chandra Shekhar Choudhary, R/O Village- Batraha, Bhartiya Nagar, P.S.- Saharsa, Distt.- Saharsa.
 2. Fulo Sharma @ Phulo Sharma S/O Dharaya Sharma R/O Village- Korlahi, P.S.- Sharsa, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ankita Kumari, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 21-05-2026 Heard the learned counsel for the petitioners and
learned APP for the State through Video Conferencing.

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

3. The case of the prosecution in brief is that, altogether 83.16 liters of illicit foreign liquor was recovered from the vehicle.

4. Learned counsel for the petitioners submits that, nothing has been recovered from the possession of these petitioners. It is also submitted that all the witnesses to the seizure list are police personnel, and the police have not



complied the mandatory provisions of Section 105 of the B.N.S.S. while making the Seizure List. Learned counsel of the petitioners has further submitted that the petitioners are innocent and they have falsely been implicated in this case. It has further been submitted by the learned counsel of the petitioners that petitioner no. 1 is the driver of the vehicle whereas petitioner no. 2 was sitting beside him. It is also submitted that petitioner no. 2 is having no criminal antecedent whereas petitioner no. 1 is having one criminal antecedent that is of similar nature and they are in custody since 19.03.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of the regular bail.

6. Considering the aforesaid facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above-named petitioner is directed to be released on bail in connection with Bajnathpur P.S. Case No. 43 of 2026 on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise)-I, Saharsa/concerned Court.

(Ashok Kumar Pandey, J)

khushbu/Ritwika

U		T	
---	--	---	--

