

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33927 of 2026

Arising Out of PS. Case No.-64 Year-2026 Thana- TAJPUR District- Samastipur

Raju Yadav @ Raju Rai S/o Devendra Yadav @ Devendra Rai Resident of
Naua Chak, Bhagwatpur, P.S.- Sarairanjan, District- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34769 of 2026

Arising Out of PS. Case No.-64 Year-2026 Thana- TAJPUR District- Samastipur

Ayush Gupta @ Ayush Rai Son of Sunil Gupta R/O Vill.- Tajpur, P.S.- Tajpur,
District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34781 of 2026

Arising Out of PS. Case No.-64 Year-2026 Thana- TAJPUR District- Samastipur

Sudhir Sahni @ Sudhir Kumar S/o Late Govind Sahni (wrongly typed in
impugned order as Govind Sahni) Resident of Village- Motipur, P.S.- Tajpur,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33927 of 2026)

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

(In CRIMINAL MISCELLANEOUS No. 34769 of 2026)

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

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

(In CRIMINAL MISCELLANEOUS No. 34781 of 2026)

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

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 15-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.



2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Tajpur P.S. Case No. 64 of 2026 instituted for the offence under Sections 30(a), 41(1) and 41(2) of Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a pick-up vehicle, altogether 1109.52 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 falsely been implicated in this case. Learned counsel for the petitioners has further submitted that the petitioners are neither the owner nor the driver of the said pick-up vehicle. They are not apprehended on spot rather their names were disclosed by the apprehended person. Nothing has been recovered from the possession of the petitioners. They have no concern with the alleged recovery of liquor. Learned counsel for the petitioner, namely, Raju Yadav has submitted that the address of the petitioner does not match with Raju Yadav as named by the driver of the said pick-up who was apprehended on spot. Learned counsel for the petitioners has also submitted there is no independent witness of the seizure list rather they are police personnel and police has not complied Section 105 of BNSS while



preparing the seizure list.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners and has submitted that petitioner, namely, Raju Yadav is having criminal antecedent of three cases, petitioner, namely, Ayush Gupta is having criminal antecedent of four cases and petitioner, namely, Sudhir Sahni is having criminal antecedent of three cases.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Tajpur P.S. Case No. 64 of 2026, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-II, Samastipur subject to the conditions as laid down under section 482(2) of B.N.S.S,

(Ashok Kumar Pandey, J)

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