

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36085 of 2026

Arising Out of PS. Case No.-10 Year-2026 Thana- Khawaspur District- Bhojpur

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1. Marai Bind S/o Late Bhoda Bind R/o vill - Khawaspur, P.s.- Krishnagarh, Distt.- Bhojpur
 2. Lalan Choudhary S/o Ghural Bind R/o vill - Khawaspur, P.s.- Krishnagarh, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niraj Kumar Singh
For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 08-06-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list, would go to show that 6.36 liters of country made liquor is said to have been recovered which was being carried on a Dengi (boat) to be delivered at a particular village.

4. It is submitted by learned counsel for the petitioners that there is no recovery from the physical and conscious possession of the petitioners. It is submitted that the petitioner was involved in local transpiration on ferry and he



had no clue about the consignment being that of liquor. It is further submitted that the mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list and the petitioners with no criminal antecedent are languishing in judicial custody since 23.02.2026 and the charge sheet has already been submitted.

5. Learned APP for the State opposes the prayer for bail.

6. Taking into consideration the facts and circumstances and also considering the fact that there is violation in the process of search and seizure coupled with the fact that the petitioners have no criminal antecedent, let the above named petitioners 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 the learned Court below where the case is pending/successor Court in connection with Khwaspur P.S. Case 10 of 2026.

(Soni Shrivastava, J)

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