

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36104 of 2026

Arising Out of PS. Case No.-42 Year-2026 Thana- KARPURIGRAM District- Samastipur

1. Sarfaraz Khan @ Sarfaraz S/o Nizam Khan @ Nizar Khan Resident of Village- Wasseypur, Ward No. 16, PS- Bhuli, District- Dhanbad at Jharkhand
2. Md. Sahid S/o Late Abdul Haq Resident of Village- New Islampur (Pander Pada), PS- Bhuli, District- Dhanbad at Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Rajendra Nath Jha

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 Sections 30(a), 32, 36, 41 of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list, would go to show that 882 liters of foreign liquor is said to have been recovered from the truck.

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 petitioners are the driver and co-driver of the said truck and they had no knowledge with regard to the presence of the liquor in



the said truck. 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 07.04.2026.

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 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 Karpoorigram P.S. Case 42 of 2026.

(Soni Shrivastava, J)

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