

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35932 of 2026

Arising Out of PS. Case No.-87 Year-2026 Thana- Excise Jhanjharpur District- Madhubani

1. Md. Nasir Son of Md. Bhutkun R/o - Jhanjharpur, Ward No.12, P.S - Jhanjharpur, District - Madhubani, Bihar
2. Md. Arman Son of Md. Ayub Resident at village- Khutauna, ps- Khautauna, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

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

2. The petitioners seek bail in a case registered for the offence punishable under Sections 30(a), 32(1) and 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, 225 litres of Nepali liquor was recovered from Tempo.

4. Learned counsel for the petitioners submits that the petitioners are said to be the driver and the passenger of the said tempo. However, there is no independent witness to search and seizure. The petitioners are neither the owner of the tempo nor have any concern with the alleged recovered liquor. The petitioners are in custody since 24.04.2026 and while petitioner no.1 has clean antecedent, petitioner no.2 has one criminal



antecedent of similar nature.

5. Learned APP for the State opposed the grant of bail on the basis of allegation made in the First Information Report.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioners, be released 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 Exclusive Special Judge Excise Act, Jhanjharpur, Motihari/concerned Court below in connection with Excise Jhanjharpur P.S. Case No. 87 of 2026 subject to condition that:-

(i) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister.

(ii) The petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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