

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38013 of 2026

Arising Out of PS. Case No.-888 Year-2026 Thana- Excise P.S. District- Sitamarhi

1. Raushan Kumar S/o Krishndev Prasad Yadav @ Krishnandan Prasad R/o village- Girmisani, ward no. -7, P.S.- Punaura, Dist. - Sitamarhi
2. Hussain Mansuri S/o Dawood Mansuri @ Daud Mansoori R/o vill - Sahpur Chhaurahiya, ward no. 10 @ Sahapur Chaurahiya, Ward no. 10, P.S.- Sahiyara, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate
For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Prohibition P.S. Sitamarhi Case No. 888 of 2026 registered for the alleged offences under Sections 30(a), 32(3) of Bihar Prohibition and Excise Act.

03. As per prosecution case, the petitioners were found transporting 324 litres of country made Nepali liquor which was recovered during checking of vehicle.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case. Nothing incriminating has been recovered from the person or possession of the petitioners, who have no concern with the seized vehicle. The petitioner no. 1 is said to be driver of the vehicle and petitioner no. 2 is co-driver. The petitioners have no knowledge about the consignment. The petitioner no. 1 is having antecedent of one case in which he is on bail and petitioner no. 2 has no criminal antecedent. The petitioners are in custody since 16.04.2026.

05. Learned APP opposes the submission made on behalf of the petitioners.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioners are merely driver and co-driver and further considering the period of custody of the petitioners, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 2, Sitamarhi/ concerned Court in connection with Prohibition P.S. Sitamarhi Case No. 888 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :



(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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