

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38024 of 2026

Arising Out of PS. Case No.-365 Year-2026 Thana- DARIYAPUR District- Saran

1. Anil Kumar Ray @ Anil Kumar Son of Late Satya Narayan Rai Resident of Village- Ramjeetpur (Barka Banya), Ps- Derni, Dist- Saran at Chapra
2. Rahul Kumar Son of Chandeshwar Sah Resident of Village- Barki Mushehari, Ps- Chapra Muffasil, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate
For the Opposite Party/s : Mrs.Pronoti Singh, 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 Dariyapur P.S. Case No. 365 of 2026 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, the petitioners were found transporting 34.560 litres of foreign liquor which was recovered from the vehicle of the petitioners.

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 petitioners are having antecedent of one case each in which they are on bail. The petitioners are in custody since 05.05.2026.

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 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 1st Exclusive Special Excise Court, Saran at Chapra/concerned Court in connection with Dariyapur P.S. Case No. 365 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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