

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46180 of 2026**

Arising Out of PS. Case No.-139 Year-2026 Thana- KUCHAIKOTE District- Gopalganj

1. Sonu Kumar Yadav S/o Prithvinath Yadav R/o Village - Daleya, P.S - Kuchaikote, District - Gopalganj
2. Prithvi Nath Yadav S/o Dasrath Yadav R/o Village - Daleya, P.S - Kuchaikote, District - Gopalganj
3. Shiv Kumar Singh S/o Late Sakaldeo Singh R/o Village - Pathara, P.S - Yadopur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ghanshyam, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      13-07-2026                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Kuchaikote P.S. Case No. 139 of 2026, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 360 liters liquor was recovered from car and the petitioners were arrested on spot.

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



present case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners also submits that the petitioners were arrested only on the basis of suspicion. It is further submitted that the petitioners were passerby of that way. The petitioners are in custody since 24.03.2026. Petitioner no. 1 has got one criminal antecedent and petitioner nos. 2 and 3 have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let petitioner no. 1 be released on bail *after framing of charge, if not already framed*, and petitioner nos. 2 and 3 on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kuchaikote P.S. Case No. 139 of 2026, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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