

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42897 of 2026

Arising Out of PS. Case No.-51 Year-2026 Thana- Bahera District- Gaya

1. Priyanshu Kumar S/o Budhan Prasad @ Budhan Yadav Resident of Village- Sanpaha, P.S.- Maheshkhunt, District- Khagaria
2. Niraj Yadav S/o Ramakant Yadav Resident of Village- Thatha, P.S.- Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Advocate

For the Opposite Party/s : Mrs.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners seek bail in connection with Bahera P.S. Case No. 51 of 2026, registered on 25.03.2026 for the offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, the petitioners were apprehended transporting illicit liquor on their truck and they are stated to be its driver and cleaner. Recovery of 4518.720 litres of foreign liquor was made from the truck which was concealed beneath tarpaulin and stone chips.

4. Learned counsel appearing on behalf of the



petitioners submits that the petitioners are innocent and have been falsely implicated in this case. They have not committed any offence. The seized liquor was not loaded in the presence of the petitioners who were under the impression that they were transporting stone chips. Nothing incriminating has been recovered from the conscious possession of the petitioners. Petitioners are having clean antecedent and they are in custody since 25.03.2026. Charge sheet has been submitted.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioners. Learned APP for the State submits that huge quantity of illicit liquor was being transported by the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioners, submission of charge sheet and their period of custody, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-5, Gaya/concerned court, in connection with Bahera P.S. Case No. 51 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other 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, if so required by the learned trial court.
- (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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