

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44750 of 2026

Arising Out of PS. Case No.-78 Year-2026 Thana- BUXAR INDUSTRIAL District- Buxar

1. Vimlesh Yadav @ Vimlesh Kumar, S/o Shiv Narain Yadav, R/o Village-Ahirauli, P.S - Buxar (Industrial Area), District - Buxar, Pin - 802016
2. Jitendra Kumar Choudhary, S/o Late Lal Bihari Choudhary, R/o Village-Ahirauli, P.S - Buxar (Industrial Area), District - Buxar, Pin - 802016

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mayuri, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-07-2026 Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Buxar (Industrial Area) P.S. Case no.78 of 2026, registered under sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, a total of 122.36 litres of liquor was recovered from the motorcycle in question and the three accused persons including the two petitioners herein were taken into custody.

4. Learned counsel for the petitioners submits that no incriminating article has been recovered from the possession of the petitioners who have been falsely implicated in the case. The petitioners have no concern with the seized motorcycle nor with



the alleged place of recovery. They are in custody since 16.5.2026 and have no antecedent under the Bihar Prohibition and Excise Act, 2016. It is lastly submitted that co-accused Deepak Yadav has been enlarged on bail vide order dated 1.7.2026 passed in Cr. Misc. no.41209 of 2026.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners in the F.I.R., the petitioners being in custody since 16.5.2026 and not having antecedent under the Bihar Prohibition and Excise Act, 2016 together with the grant of bail to the aforesaid co-accused Deepak Yadav vide order dated 1.7.2026, both the petitioners are directed to be enlarged on bail in connection with Buxar (Industrial Area) P.S. Case no.78 of 2026, on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court no.1, Buxar.

(Partha Sarthy, J)

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