

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44120 of 2026

Arising Out of PS. Case No.-31 Year-2026 Thana- EXCISE MAHAMMADPUR District-
Gopalganj

-
1. Vivek Singh S/O Vijay Singh Resident of village- Mirjapur, ward no.- 23,
P.s- Goreakhothi, District- Siwan
 2. Vidhayak Singh S/O Tribhuvan Singh Resident of village-Wajitpur, ward
no.- 2, P.s- Goreakhothi, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Ranjan, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Mohammadpur Excise P.S. Case No. 31 of 2026, registered for the offences under Section 30(a), 32(c) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, petitioners were apprehended transporting illicit liquor in a four wheeler. A raid was conducted and recovery of 69.120 litre of illicit foreign liquor was made from the back seat of the vehicle. During raid, one person fled away, however these two petitioners were apprehended after chase.



4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case in a mechanical manner. Petitioner no. 1 is driver of the vehicle and petitioner no. 2 is the co-driver. Petitioners were unaware of the illicit foreign liquor kept in the vehicle. The petitioners are not the owner of the seized vehicle and the petitioners have got no criminal antecedent. The petitioners are in custody since 05.04.2026 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the period of custody of the petitioners, their clean antecedent and submission of charge sheet, 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 Excise Court No. 2, Gopalganj/concerned court, in connection with Mohammadpur Excise P.S. Case No. 31 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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