

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48276 of 2026

Arising Out of PS. Case No.-163 Year-2026 Thana- Excise P.S. District- Buxar

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1. Mahendra Singh S/o Baldeo Singh R/o Village - Nagrao, PS - Jhanduta, District - Vilaspur, State - Himachal Pradesh
 2. Rajesh Kumar S/o Kashmir Chand R/o Village - Samlah, P.S - Bharari, District - Vilaspur, State - Himachal Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Buxar Excise P.S. Case No. 163 of 2026 instituted for the offences under Sections 30(a), 32(3) and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 1800 liters liquor was recovered from Truck 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 has been recovered from the conscious possession of the petitioners. The petitioners



have got no concern with the alleged recovery of liquor. It is further submitted that petitioner No.1 is the driver and petitioner No.2 is the co-driver of the vehicle in question and they had no concern with regard to nature of goods booked by the transporter. The petitioners are in custody since 06.05.2026 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. 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, clean antecedent and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buxar Excise P.S. Case No. 163 of 2026.

(Rudra Prakash Mishra, J)

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