

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46182 of 2026

Arising Out of PS. Case No.-66 Year-2026 Thana- BAIRGACHHAI District- Araria

-
1. Chandan Kumar S/o Mangal Sah R/o Haripur Ward no. 10, Village - Haripur, Harpur, P.S. - Rosera, Distt. - Samastipur.
 2. Ram Kumar Yadav @ Ram Kumar S/o Kanhaiya Yadav R/o Haripur Ward no. 10, Village - Haripur, Harpur, P.S. - Rosera, Distt. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, 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 Baigachi P.S. Case No. 66 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, 238.7 liters liquor was recovered from car and both 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 have been arrested only on the basis of suspicion. It is further submitted that petitioner no. 1 is driver and petitioner no. 2 is owner of the car in question. The petitioners are in custody since 30.05.2026. Petitioner no. 1 has got no criminal antecedent and petitioner no. 2 has got one 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. 2 be released on bail ***after framing of charge, if not already framed,*** and petitioner no. 1 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 Baigachi P.S. Case No. 66 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/-

U		T	
---	--	---	--

