

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48376 of 2026

Arising Out of PS. Case No.-114 Year-2026 Thana- MALSALAMI District- Patna

1. Suresh Das S/o Tuntun Das R/o Village - Bundel Toli, P.S. - Malsalami, District - Patna.
2. Rudal Rai @ Rudal Kumar S/o Chinta Rai @ Late Chinta Kumar @ Naresh Bhagat R/o Village - Bundel Toli, P.S. - Malsalami, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-07-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of nine cases out of which seven cases are under the Excise Act and petitioner no. 2 has antecedent of one case under the Excise Act and are in custody since 29.05.2026 and allegation is of recovery of 900 liters of liquor from bank of *Damrahi* ghat and a motorcycle was seized.

4. Learned counsel for the petitioners submits that



petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which does not belong to the petitioners and are not the owner of the seized vehicle and they came to be implicated at the instance of local person, but then the name of the person who disclosed the name of the petitioners is not disclosed in the FIR which casts an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State opposes the bail application of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, are directed to be released on bail on furnishing bail bonds of Rs. 5000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Malsalami P.S. Case No. 114 of 2026.

(Satyavrat Verma, J)

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