IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79535 of 2026

CNR No. BRHC011071292026

Arising Out of PS. Case No.-606 Year-2026 Thana- EXCISE MASAUDHI District- Patna

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1. Sunil Kumar S/O Raghuveer Singh R/O Village- Ward No. 08, Siswala, P.S.- Rawalvas Khurd, District- Hissar, Haryana.
2. Satish Kumar S/o Sispal R/O Village- 246, Bure (4), P.S.- Magadi, District- Hissar, Haryana.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vishvjeet Kumar, Advocate
For the Opposite Party/s : Ms. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

2 18-11-2026 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Excise Masaudhi P.S. Case No. 606 of 2026 registered for the offences punishable under Sections 30(a), 32, 56(b), 41 of Bihar Prohibition and Excise Act.

3. As per prosecution case, 5869.800 litre illicit liquor was recovered from six wheeler truck in question and petitioners were apprehended at the place of occurrence.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and has committed no offence as alleged in the FIR and they have been falsely implicated in this

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case. Petitioners are in custody since 31.07.2026 and they bear no criminal antecedent. Learned counsel for the petitioners orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioners are not owner of the said vehicle in question rather petitioners are merely a driver and co-driver of the said vehicle in question and they have to follow the instruction of the owner of the vehicle in question to earn their livelihood. Petitioners had no knowledge that illicit liquor had been kept in the vehicle in question. Petitioners have no concern with the seized liquor. No incriminating article has been recovered from conscious possession of the petitioners. Seizure list has not been prepared as per law. Petitioners have nothing to do with the alleged recovery. Hence, the petitioners deserve bail

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioners and submits that petitioners are FIR named accused and hence, petitioners cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioners, charge sheet has been submitted in the case and

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there is no likelihood of tampering with the prosecution evidence, as contended, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge – II, Patna in connection with Excise Masaudhi P.S. Case No. 606 of 2026, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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