IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76811 of 2026

CNR No. BRHC011076802026

Arising Out of PS. Case No.-330 Year-2026 Thana- DURGAWATI District- Kaimur (Bhabua)

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1. Raju Kumar Ranjan, S/o Late Birbal Dhobi, R/o Village - Padhaoti, P.S. - Bhagwanpur, District - Kaimur
2. Sanju Devi, W/o Shashikant, D/o Baleshwar Prasad, R/o Village - Padhaoti, P.S. - Bhagwanpur, District - Kaimur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Anshuman Singh, Advocate
: Ms. Riya Bhawna, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek regular bail in connection with Durgawati P.S. Case No. 330 of 2026, lodged on 11.08.2026, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, total recovery of 169.1 litres of excise material has been made, which is the subject of the present case.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence.

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Counsel submits that the petitioner No. 1 is the driver of the vehicle and petitioner No. 2 is the passenger. Counsel submits that recovery has not been made from the conscious possession of the petitioners. He submits that petitioner No.1 has no criminal antecedent with regard to the Excise Act. However, there is one case pending against the petitioner No. 1 under Section 7 of the Essential Commodities Act, 1955 in which he has been acquitted. Counsel submits that the antecedent of the petitioner No. 2 is clean. Counsel submits that both petitioners are in custody since 11.08.2026.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that recovery has been made from the possession of the petitioners.

6. In the light of the submissions made, this Court finds that antecedents of both the petitioners are clean and petitioners are not the owners of the vehicle.

7. As such, in the present facts and circumstances of this case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Exclusive Special Judge (Excise)- II, Kaimur at Bhabua, in connection with Durgawati P.S. Case No.

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330 of 2026, subject to the conditions as laid down U/s. 480(3) of the BNSS, 2023 with further conditions that:

(i.) One of the bailors should be the family member of the petitioners who shall provide official document to show his/her *bona fide;* and

(ii.) The petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself.

(Dr. Anshuman, J)

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