IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76383 of 2026

CNR No. BRHC011088052026

Arising Out of PS. Case No.-4913 Year-2026 Thana- Excise P.S. District- Patna

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1. Kamlesh Rai S/o Late Amin Rai @ Agin Rai R/o vill- Raipur Bind Gama, PS- Doriganj, Distt- Saran
2. Mukesh Kumar S/o Ram Babu Rai R/o vill- Raipur Bind Gama, PS- Doriganj, Distt- Saran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Smita Shreeyash, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 29-10-2026 Learned counsel for the petitioner is permitted to make necessary correction/s in paragraph no. 5 of the present bail application during course of the day.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners seek bail in connection with Patna (Excise) P.S. Case No. 4913 of 2026 instituted for the offences punishable under Sections 30(a), 41, 56(b) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that total 228 litres of beer and 476.280 litres of foreign liquor has been recovered from boat at Rampur Diyara.

5. Learned counsel for the petitioners submitted that

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the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that petitioners are in no manner connected with the alleged recovery of liquor. The boat in question does not belong to the petitioners. The petitioners are in custody since 23.08.2026 and have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail 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 Patna (Excise) P.S. Case No. 4913 of 2026.

(Rudra Prakash Mishra, J)

Alok Verma/-

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