IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75958 of 2026

CNR No. BRHC011089042026

Arising Out of PS. Case No.-75 Year-2026 Thana- EXCISE SONPUR District- Saran

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1. Sumit Kumar S/oShiv Shankar Rai Resident of Village- Bidupur Dih, P.S.- Bidupur, District- Vaishali
2. Munna Kumar S/o Manager Rai Resident of Village- Sabalpur Nawal Tola, P.S.- Sonepur, District- Saran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dhirendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

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

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a pick-up, altogether 172.800 liters illicit foreign liquor was recovered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Learned counsel for the petitioners has submitted that nothing has been recovered from the possession of the petitioners. They are merely driver and co-driver of the said car respectively.

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They have no concern with the alleged recovery. There is no independent witness of the seizure list rather they are police personnel and police has not complied Section 105 of BNSS while preparing the seizure list. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 20.09.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Sonepur P.S. Case No. 75 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Excise Court-03, Saran at Chapra.

(Ashok Kumar Pandey, J)

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