IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76766 of 2026

CNR No. BRHC011119272026

Arising Out of PS. Case No.-306 Year-2026 Thana- Excise P.S. District- Buxar

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1. Sujit Kumar Sharma @ Sujit Kumar S/o Late Sanjay Sharma R/o Village - Pipra Debas, PS - Barauni, Dist. - Begusarai.
2. Ganesh Kumar Mandal S/o Sakaldev Mandal R/o Village - Mohanpur, Barhara, P.s. - Marauna, Dist. - Supaul.

... ... Petitioners

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Bijay Kumar Pandey, Adv.
: Mr. Rupam Priyadarshini, Adv.
For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 28-10-2026 Heard the parties.

2. Both accused/petitioners seek bail in connection with Buxar Excise P.S. Case No.306 of 2026 registered for the offences punishable under Sections 30(a), 32(2) and 41 of the Bihar Prohibition & Excise Act.

3. The accused/petitioners named in the FIR and are in custody since 25.08.2026.

4. Allegation against the petitioners is to engage in illegal trade/manufacturing of illicit liquor, where there is

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recovery of 193.5 litres of IMFL/country-made liquor.

5. Learned counsel appearing on behalf of the petitioners submitted that the seized illicit liquor was recovered from a Honda Amaze Car bearing Registration No. HR-26EF-9466. It is further submitted that petitioners are neither the registered owner nor were he apprehended on the spot. It is further submitted that the recovery of illicit liquor was not made from conscious possession of these petitioners. Both petitioners claimed clean antecedent.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from physical possession of these petitioners, where petitioners remain in custody since 25.08.2026, accordingly, both above-named petitioners, who are of clean antecedent, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court-IInd, Buxar in connection with Buxar Excise P.S. Case No.306

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of 2026, subject to the condition as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J.)

Rajeev/-

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