IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77862 of 2026

CNR No. BRHC011136172026

Arising Out of PS. Case No.-771 Year-2026 Thana- Excise P.S. District- Gopalganj

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1. Indal Paswan S/o Late Jeetan Paswan Resident of Village- Noni Pakad, P.S.- Sathi, District- West Champaran
2. Aman Kumar S/o Nandlal Paswan R/o Village - Katahari, P.S - Sathi, District - West Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Anuj Kumar Shrivastav, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 29-10-2026 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 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from a car, altogether 77.760 liters of illicit 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 passenger of the said car respectively.

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They have no concern with the alleged recovery or liquor. There is no independent witness of the seizure list rather they are police personnel and police have 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 04.09.2026.

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 Gopalganj Excise P.S. Case No. 771 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 District and Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II, Gopalganj.

(Ashok Kumar Pandey, J)

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