

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89359 of 2025

Arising Out of PS. Case No.-675 Year-2025 Thana- DARIYAPUR District- Saran

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1. Hemant Kumar @ Hemte kumar S/o Dinesh Sah R/o Vill- Korari Khurd, P.S.- Daraunda, Distt- Siwan
 2. Abhishek Kumar S/o Anil Sah R/o Vill- Korari Khurd, P.S.- Daraunda, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-01-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with
Dariyapur PS Case No. 675 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 98.280 liters
foreign liquor was recovered from car.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioners. The petitioners have
got no concern with the alleged recovery of liquor. It is



submitted that names of the petitioners have surfaced in this case as being passenger of the vehicle in question and he was oblivious of the fact that illicit liquor was laden in the vehicle. The petitioners are in custody since 23.10.2025 and have got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused has been granted bail by this Court vide order dated 01.12.2025, passed in Cr. Misc. No. 81722 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dariyapur PS Case No. 675 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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