

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90095 of 2025

Arising Out of PS. Case No.-555 Year-2025 Thana- BUXAR District- Buxar

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1. Imran Khan S/O Late Rashid Khan @ Sher Mohammad R/O Sector 56, Faridabad, P.S- Old Faridabad, Distt.- Faridabad (Haryana) presently R/O Nevil Road, Katra Purdol Khan, Etawah, P.S- Kotwari, Distt.- Etawah (Uttar Pradesh).
 2. Azad Khan S/O Habbu Khan @ Habbo R/O Sec 17, House No. 29, Kishan Majdoor Colony, P.S- Old Faridabad, Distt.- Faridabad (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, 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 Buxar Town PS Case No. 555 of 2025 instituted for the offences under Sections 318(4), 336(2), 336(3), 338, 339, 340(2), 341(1), 3(5) of the Bharatiya Nyaya Sanhita.

3. The prosecution case, in short, is that 3078.42 liters of foreign liquor was recovered from the container and both the petitioners were arrested on the spot.

4. Learned counsel for the petitioners submit 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. Learned counsel for the petitioners submit that the petitioners are the driver and co-pilot of the vehicle in question and have been implicated in this case due to high handedness of the police. The petitioners are in custody since 11.10.2025 and have got clean criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buxar Town PS Case No. 555 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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