

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.97 of 2026

Arising Out of PS. Case No.-506 Year-2025 Thana- BANJARIA District- East Champaran

1. Rambaran Mukhiya Mohan Mukhiya R/O Village- Rohiniya ,P.S-
Banjariya ,District-East Champaran
2. Manoj Mukhiya Son of Mohan Mukhiya R/O Village- Rohiniya ,P.S-
Banjariya ,District-East Champaran
3. Sukai Mukhiya Son of Ramayan Mukhiya R/O Village- Rohiniya ,P.S-
Banjariya ,District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr.Nand Kumar, 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 Banjariya P.S. case No.
506 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 350 liters
liquor was recovered near a river and the petitioners were
arrested on spot.

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 further submitted that recovery has been made from an open place accessible to public at large. The petitioners are in custody since 26.09.2025 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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, clean antecedent 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 Banjariya P.S. case No. 506 of 2025.

(Rudra Prakash Mishra, J)

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