

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.128 of 2026

Arising Out of PS. Case No.-528 Year-2025 Thana- SUGAULI District- East Champaran

1. Jhunna Yadav Son of Bhuali Yadav R/V- Muswa Bhedihari, P.S.- Sugauli, District - East Champaran
2. Badri Sahani @ Badri Sahni Son of Late Ramsewak Sahani R/V- Muswa Bhedihari, P.S.- Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr.Pradeep Narain 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 Sugauli P.S. case No. 528 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 255 liters liquor was recovered from Tampoo 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 petitioner No. 1 was driver and petitioner No. 2 was sitting as passenger in the vehicle and they have got no knowledge regarding the nature of goods kept in vehicle. The petitioners are in custody since 09.10.2025. The petitioner No. 1 has got no criminal antecedent whereas petitioner No. 2 has got five criminal antecedents. 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 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 Sugauli P.S. case No. 528 of 2025.

(Rudra Prakash Mishra, J)

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