

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1050 of 2026

Arising Out of PS. Case No.-639 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

1. Vijay Sahani S/o Shobbit Singh @ Sahni RO Village- Bhatauna, PS- Ekma, District- Saran
2. Nikki Kumar @ Nikki Kumar @ Nikku Kumar S/o Ramshreshth Singh R/o Marwan, P.s.- Karja, Distt.- Muzaffarpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chetna, Adv.

For the Opposite Party/s : Mr. Parmanand Prasad, 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 Chapra Muffasil PS Case No. 639 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 1845 liters of foreign liquor was recovered from the truck and both 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 petitioner submits that the petitioners are the driver and co-driver of the vehicle in question and they had no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 05.12.2025 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 petitioner.

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 Chapra Muffasil PS Case No. 639 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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