

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91718 of 2025

Arising Out of PS. Case No.-467 Year-2025 Thana- MAIRWAN District- Siwan

1. Raju Kumar S/o- Chandeshwar Sahni Resident of village- Mansurpur Halaiya PS-Goraul Dist- Vaishali
2. Ujjwal Kumar S/o- Baijnath Sahani Resident of village- Mansurpur Halaiya PS-Goraul Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, 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 Mairwa P.S. Case No. 467 of 2025, instituted for the offences punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 1779.840 liters liquor was recovered from truck and the petitioner was 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. Learned counsel for the petitioner also submits that the petitioners are not the owner of the truck rather they are driver and cleaner of the truck in question. The petitioners are in custody since 23.11.2025 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mairwa P.S. Case No. 467 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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