IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57371 of 2026

Arising Out of PS. Case No.-549 Year-2026 Thana- Excise P.S. District- Kishanganj

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1. Vicky Sharma S/o Tuntun Shrama Resident of Village- Rambagh, Kaushal Nagar ward No. 31, P.S.- Sadar, District- Purnea
2. Virender Uraon @ Vinod Uraon S/o Sohan Lal Uraon R/o Khairuganj, Ward No. 31, P.S.- Sadar, District- Purnea

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Diwakar Sinha, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 19-08-2026 Heard learned counsel for the petitioners and learned APP for the State.

02. In the present case, the petitioners seek bail in connection with Special Case No. 559 of 2026 arising out of Kishanganj Madhya Nisedh P.S. Case No. 549 of 2026 registered for the alleged offences under Sections 30(a), 32(3) of Bihar Prohibition and Excise Act.

03. As per prosecution case, secret information was received about smuggling of liquor from a three wheeler. The said vehicle was stopped and the petitioner Vicky Sharma was found driving it and petitioner Virender Uraon was sitting in the said tempo. On search of the vehicle, recovery of 17.100 litres

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of foreign liquor was made.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners have no concern with the seized liquor and they were merely passengers on the seized vehicle. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioner no. 1 has got clean antecedent and petitioner no. 2 is having antecedent of one case in which he is on bail. The petitioners are in custody since 15.05.2026 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioners.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of liquor seized and further considering the period of custody of the petitioners and submission of charge sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise-II, Kishanganj/concerned Court in connection with Special Case No. 559 of 2026 arising out of Kishanganj Madhya Nisedh P.S.

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Case No. 549 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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