

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82789 of 2024**

Arising Out of PS. Case No.-254 Year-2024 Thana- Excise P.S. District- Madhubani

1. Pankaj Kumar @ Pankaj Kumar Choudhary Son of Ram Chandra Choudhary Resident of Village- Karahiya, PS -Ramnagar, Distt.- Madhubani
2. Rajan Kumar Son of Chandradev Yadav Resident of Village- Karahiya Tole, Ward No. 11, PS -Ramnagar, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      04-12-2024                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with G.O. No. 2318 of 2024, arising out of Excise P.S. Case No. 254 of 2024, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 1485 liters liquor was recovered from three cars out of which 630 liters liquor was recovered from the car of the petitioners and the petitioners were apprehended 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 petitioners further submits that petitioner no. 1 is driver and petitioner no. 2 is co-driver of the vehicle and in question and they have got no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 13.09.2024. Petitioner no. 1 has got four criminal antecedents and petitioner no. 2 has 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. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with G.O. No. 2318 of 2024, arising out of Excise P.S. Case No. 254 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner 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 petitioner.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

