

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83493 of 2024**

Arising Out of PS. Case No.-164 Year-2024 Thana- Excise P.S. District- Saran

1. Kunal Kumar Son of Rameshwar Ray @ Rameshwar Rai Resident of Village - Sabalpur @ Sabalpur Naya Vasindha, Ward No. 03, P.S. - Sonepur, District - Saran
2. Nitish Kumar Son of Rampravesh Ray @ Rampravesh Rai Resident of Village - Sabalpur @ Sabalpur Naya Vasindha, Ward No. 03, P.S. - Sonepur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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

ORAL ORDER

2      05-12-2024                      Heard learned counsel for the petitioners and learned APP for the State.

2.      The petitioners seek bail in connection with Sonepur Excise PS Case No. 164 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that total 7.560 litres of foreign liquor was recovered from the motorcycle.

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. It is submitted that motorcycle in question does not belong to the petitioners. The petitioners are in custody since 12.09.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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, clean antecedent of the petitioners 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonapur Excise PS Case No. 164 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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

