

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1373 of 2025

Arising Out of PS. Case No.-856 Year-2024 Thana- Excise P.S. District- Nawada

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1. Aashik Kumar S/o- Sanjay Rajvanshi Village-Aivan, Guljar Bigha, P.S. -Fatehpur, Dist-Gaya
 2. Karan Kumar S/o- Sugdeo Rajvanshi Vill-Adaya Rupay, P.S. -Parnadabar, Dist-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-01-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Nawada Excise P.S. case
No. 856 of 2024 instituted for the offences under Sections 30(a)
and 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 48 liters liquor
was recovered from motorcycle.

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. It is



further submitted that motorcycle in question does not belong to the petitioners. The petitioners are in custody since 06.12.2024 and petitioner No. 1 has one criminal antecedent in which he is on bail and petitioner No. 2 has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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 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 Nawada Excise P.S. case No. 856 of 2024.

(Rudra Prakash Mishra, J)

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