

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3193 of 2025

Arising Out of PS. Case No.-768 Year-2024 Thana- Excise P.S. District- Siwan

1. Amit Kumar son of Tribhuwan Prasad Resident of village- Daldali Bazar, P.S.- Nagar, District- Chapra (Saran)
2. Anup Kumar S/O Ganesh Manjhi Resident of village- Sanda, P.S.- Muffasil, District- Chapra (Saran)
3. Vikash Kumar S/O Saudagar Mahto Resident of village- Kadipur, P.S.- Nagar, District- Chapra (Saran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya Ranjanm, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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

ORAL ORDER

2 28-01-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Siwan
Sadar (Excise) PS Case No. 768 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 206.880
litres of foreign liquor was recovered from Jhola and Bora.

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 recovery is made from the road side and the name of the petitioners have transpired only on the basis of suspicion as they were only the passer by. The petitioners are in custody since 01.12.2024. Petitioner nos. 1 and 3 has two criminal antecedents and petitioner no. 2 has one 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 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 Siwan Sadar (Excise) PS Case No. 768 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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