

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4450 of 2025

Arising Out of PS. Case No.-1998 Year-2024 Thana- Excise P.S. District- East Champaran

1. Abhay Shahi Son of Birendra Shahi @ Birendra Prasad Sahi Resident of Village - Siswamangal, Ward No. 07, P.S. - Dhaka, District - East Champaran
2. Ashok Kumar Jha Son of Late Mahanand Jha Resident of Village - Krishnanagar, Ward No. 35, P.S. - Town, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise PS Case No. 1998 of 2024 instituted for the offences under Sections 30(a) and 37 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 17.040 litres of Nepali liquor was recovered from 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 24.11.2024. The petitioner no. 1 has one criminal antecedent and petitioner no. 2 has two criminal antecedents. 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 Excise PS Case No. 1998 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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