

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5975 of 2025**

Arising Out of PS. Case No.-68 Year-2024 Thana- Excise Mashrakh District- Saran

1. Vijay Dubey S/O Shyam Sundar Dubey Resident of Village - Vastu Vihar, P.S. - Gorakhpur Cantt., District - Gorakhpur (Uttar Pradesh)
2. Ajim Khan S/O Shahid Khan R/O Vill.- Rustampur, P.S.- Ramgarh, Dist.- Gorakhpur.
3. Aryan Mishra S/O Satya Prakash Mishra R/O Vill.- Tara Mandal, P.S.- Gorakhpur Cant., Dist.- Gorakhpur, UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate  
For the Opposite Party/s : Ms. Sharda Kumari, APP

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

ORAL ORDER

2      06-02-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2.      The petitioners seek bail in connection with Mashrakh Excise PS Case No. 68 of 2024 instituted for the offences under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that total 72 litres of foreign liquor was recovered from Car.

4.      Learned counsel for the petitioners submit that the petitioner 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 petitioner no. 1 is the owner and petitioner nos. 2 and 3 are the passengers of the seized vehicles. The petitioners are in custody since 03.11.2024 and have 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 Mashrakh Excise PS Case No. 68 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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

