

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4499 of 2025

Arising Out of PS. Case No.-528 Year-2024 Thana- Excise P.S. District- Banka

1.

Jai kishor Kumar Son of Sadanand Yadav Resident of Village- Tamout Parsha Ward No. 11, P.S.- Murliganj, Distt.- Madhepura
2.

Bipesh Kumar Son of Jay Kant Yadav Resident of Village- Tamout Parsha Ward No. 11, P.S.- Murliganj, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4999 of 2025

Arising Out of PS. Case No.-528 Year-2024 Thana- Excise P.S. District- Banka

Lankesh Kumar S/o- Sachidanand Yadav Resident Of Village- Gudhiya, ward No 1, Ps-Kumar Khan, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 4499 of 2025)

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr. Meena Singh, APP

(In CRIMINAL MISCELLANEOUS No. 4999 of 2025)

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Banka PS Case No. 528 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



2854.800 liters liquor was recovered from TATA Truck.

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 in Cr. Misc. No. 4499 of 2025, petitioner no. 1 is the driver and petitioner no. 2 is the cleaner of the vehicle and they have no knowledge regarding the nature of goods booked by the transporter, whereas in Cr. Misc. No. 4999 of 2025, petitioner is sitting as a passenger in the vehicle and he has also no knowledge regarding the nature of goods booked by the transporter. The petitioners of both the cases are in custody since 11-12-2024 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 Banka PS Case No. 528 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

U		T	
---	--	---	--

