

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9716 of 2025

Arising Out of PS. Case No.-536 Year-2024 Thana- VAISHALI District- Vaishali

1. Ajay Kumar Srivastava Son of Shiv Shankar Prasad Resident of Village - Lohanipur, P.S. - Kadamkua, District - Patna
2. Shambhu Kumar Son of Lal Bahadur Rai Resident of Tersiya, P.S. - Ganga Bridge, District - Vaishali
3. Mithun Kumar Son of Ganit Rai Resident of Village - Nayagaon, P.S. - Desari, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 20-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Vaishali PS Case No. 536 of 2024 instituted for the offences
under Sections 317(5), 318(4), 336(3), 340(2), 61(2) of
B.N.S. and Sections 414, 420, 467, 468, 471, 120(b) of IPC
and 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

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

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 petitioner no. 1 is the driver and petitioner no. 2 and 3 are passengers in the seized vehicle and they have no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 25.12.2024. Petitioner no. 1 and 2 has two criminal antecedents and petitioner no. 3 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) with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with Vaishali
PS Case No. 536 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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