

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7579 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- Excise P.S. District- Aurangabad

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1. Dhananjay Pandey S/o- Late Sumeshwar Pandey Village- Viraj Bigha Ps- Amba Dist- Aurangabad
 2. Vijay Sharma @ Bijay Sharma Late Janeshwar Sharma Village- Erka Ps- Kutumba Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise PS Case No. 85 of 2025 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 80 litres of country made 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 petitioner no. 1 is allegedly to be rider and the petitioner no. 2 is pillion of said seized motorcycle. It is further submitted that the petitioners are not the owner of the seized motorcycle rather it is registered in the name of son of petitioner no. 1 namely Gaurav Pandey. The petitioners are in custody since 22.01.2025 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Case No. 85 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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