

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8086 of 2025

Arising Out of PS. Case No.-99 Year-2024 Thana- CHUTIA SAHAYAK District- Rohtas

1. Ajay Paswan Son Of Late Mahender Paswan Village- Supaul Ps -Mahua District -Hajipur
2. Nitish Kumar Son Of Late Permeshwer Sahni @ Permeshwar Sahani Village- Pahetiya, Ps- Hajipur (Vaishali) Dist- Hajipur Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-02-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Chutiya (Chhutiya) PS Case No. 99 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 252 litres of country made liquor was recovered from Sumo Gold Victa vehicle.

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 is the passenger of the seized vehicle and they have no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 01.01.2025. Petitioner no. 1 has no criminal antecedent and petitioner no. 2 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 Chutiya (Chhutiya) PS Case No. 99 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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