

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10247 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- Bikramganj Excise District- Rohtas

1. Saroj Kumar S/O Rameshwar Yadav Resident of Village- Dharupur, Ward No.19, Police Station- Bikramganj District Rohtas at Sasram
2. Raju Kumar @ Raju Ranjan Paswan S/O Harinarain Ram Resident of Village- Dharupur, Ward No.20, Police Station- Bikramganj District Rohtas at Sasram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-02-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise PS Case No. 1198 of 2024, FIR No. 215 of 2024 instituted for the offences under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 140 litres of country made liquor was recovered from orchard and 1500 kg jawa destroyed at spot.

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 recovery is made from an open place, which is accessible to one and all. It is further submitted that the name of the petitioners have transpired on secret information. The petitioners are in custody since 27.12.2024. The petitioner no. 1 has six criminal antecedents in which he is acquitted in one case and in remaining five cases he is on bail and petitioner no. 2 has three criminal antecedents in which he is on bail. 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, *after framing of charge if not already framed* 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 Excise PS Case
No. 1198 of 2024, FIR No. 215 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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