

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13090 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- Excise P.S. District- Gaya

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1. Surendra Kumar Son of Bhola Chaudhary Resident of Village- Baradih, Ward No. 14, P.S.- Mufassil, District- Gaya (Bihar),
 2. Suresh Chaudhary Son of Late Fagu Chaudhary Resident of Village- Baradih, Ward No. 14, P.S.- Mufassil, District- Gaya (Bihar),

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 27-02-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Excise PS Case No. 11 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 40 litres of country made liquor was recovered from plastic gallon.

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. The petitioners are in custody since 04.01.2025. The petitioner no. 1 has one 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Case No. 11 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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