

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14133 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- EXCISE PATORI District- Samastipur

1. Mangal Ram S/O Ghasiram Bagariya Resident of Village- Dalniya, Ward No.- 03, P.S- Fagi, Dist- Jaipur, State- Rajasthan.
2. Hari Ram S/O Late Hira Ram Resident of Village- Nareda, Ward No.- 03, P.S- Fagi, Dist- Jaipur, State- Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Adv.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek bail in connection with Patori

Excise P.S. Case No. 18 of 2025 instituted for the offences

under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered

total 544.320 liters of illicit foreign liquor from the pick-up

vehicle. Both the petitioners were arrested at the spot.

4. Learned counsel for the petitioners submits that

the petitioners are innocent and have committed no offence

as alleged against them and have falsely been implicated in



the present case merely on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners are neither owner nor goods were loaded in their presence. The petitioner no.1 is the driver and the petitioner no.2 is the cleaner of the alleged pick-up vehicle. The petitioners have no concern with the seized liquor. The petitioners were not aware of the contents of the material being loaded in the alleged vehicle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioners have no criminal antecedent and are languishing in judicial custody since 02.02.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent,



let the petitioners, abovenamed, 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 Patori Excise
P.S. Case No. 18 of 2025.

(Rudra Prakash Mishra, J)

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