

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16965 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- Excise P.S. District- Buxar

1. Shivanand Kumar Son of Shyam Bihari Yadav Resident of Village - Basantpur, P.S. - Itarhi, District - Buxar
2. Mantu Kumar Son of Santosh Rajak Resident of Village - Basantpur, P.S. - Itarhi, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-03-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise (Buxar) PS Case No. 37 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 21.800 litres of foreign 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 motorcycles in question do not belong to the



petitioners. The petitioners are in custody since 27.01.2025 and has 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise (Buxar) PS Case No. 37 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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