

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16410 of 2025

Arising Out of PS. Case No.-109 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Raj Kumar @ Rajkumar S/o- Sudama Yadav Village- Dulfa Ps- Dhansoi Dist- Buxar
 2. Vikash Kumar S/o- Lalan Singh Village- Dulfa Ps- Dhansoi Dist- Buxar
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Nityanand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-03-2025 Heard Mr. Tribhuwan Narayan, learned counsel for the petitioners and learned Mr. Nityanand Tiwary, APP for the State.

2. The petitioners seek bail in connection with P.R. No. 109 of 2025 arising out of Excise PS Bhabhua Case No. 109 of 2025 instituted for the offences under Sections 30(a), 32(1), 32(3), 41(1) and 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 113.220 litres of foreign liquor was recovered from Mahindra Car.

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 he has no knowledge regarding the nature of goods kept in the vehicle. It is further submitted that petitioner no. 1 disclosed the name of the petitioner no. 2. The petitioners are in custody since 10.02.2025 and have got no criminal antecedents. 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 P.R.
No. 109 of 2025 arising out of Excise PS Bhabhua Case No.
109 of 2025, subject to the following conditions:

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

(II) The petitioner 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 petitioner

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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