

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16429 of 2025**

Arising Out of PS. Case No.-7 Year-2025 Thana- BENIPATTI District- Madhubani

1. Risav Kumar @ Rishabh Kumar Son of Dip Narayan Mishr Resident of Village - Kamtaul, P.S.- Kamtaul, District - Darbhanga
2. Raghuveer Pandit Son of Ram Pratap Pandit Resident of Village - Kamtaul, P.S.- Kamtaul, District - Darbhanga
3. Govind Kumar Sharma Son of Late Bideshi Sharma Resident of Village - Kamtaul, P.S.- Kamtaul, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Kumari Pallavi, Advocate  
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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

ORAL ORDER

2      21-03-2025              Heard learned counsel for the petitioners and learned APP  
for the State.

2.      The petitioners seek bail in connection with Benipatti PS Case No. 07 of 2025 instituted for the offences under Sections 317(5) of B.N.S. and Sections 30(a), 32 and 41(1) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that total 225 litres of country made liquor was recovered from Tempo.

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 petitioners are neither the owner nor the driver of the seized vehicle. It is further submitted that petitioners are passerby of the way. The petitioners are in custody since 08.01.2025 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 Benipatti PS Case No. 07 of 2025.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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