

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19287 of 2025

Arising Out of PS. Case No.-298 Year-2025 Thana- Excise P.S. District- Muzaffarpur

1. Dharmendra Kumar Son of Nandu Prasad Resident of Village - Turki, P.S. - Minapur, District - Muzaffarpur
2. Raju Kumar Son of Bhola Bhagat Resident of Village - Tengarari, P.S. - Siwaipatti, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise PS Case No. 298 of 2025 instituted for the offences under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 441 liters foreign liquor was recovered from pickup vehicle.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Petitioner No.1 is the co-driver whereas petitioner No.2 is the driver of the vehicle in question and they were oblivious of the fact that illicit liquor was loaded in the vehicle.



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. The petitioners are in custody since 04-03-2025 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

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 PS Case No. 298 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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