

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20184 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- BUXAR MUFFSIL District- Buxar

1. Ragho Kumar Ojha Son of Sunil Kumar Ojha Resident of Village - Dharmapura, P.S.- Itarhi, District - Buxar
2. Satish Kumar Ojha Son of Late Shridhar Ojha Resident of Village - Devkuli, P.S.- Itarhi, District - Buxar.
3. Deepak Kumar Pandey Son of Umesh Pandey Resident of Village - Chachariya, P.S.- Itarhi, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-04-2025 Heard Mr. Ravi Shankar Pathak, learned counsel for the petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in connection with Buxar Muffasil PS Case No. 95 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act and Section 25(1-B)a, 25 & 35 of the Arms Act.

3. The prosecution case, in short, is that 432 liters country made liquor was recovered from car and truck, out of which 72 litres liquor was recovered from car whereas 360 litres liquor was recovered from truck. One country made pistol and one live cartridge is also recovered from possession of the



petitioners.

4. Learned counsel for the petitioners submits 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 and arms. Petitioners are neither the owner nor the driver of any of the vehicles in question. Petitioners were passenger of the car in question and while they were returning from a marriage ceremony, they have been implicated by the police party on extraneous consideration. The petitioners are in custody since 04-03-2025 and have 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 petitioner 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 Buxar Muffasil PS
Case No. 95 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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