

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27877 of 2025

Arising Out of PS. Case No.-222 Year-2024 Thana- Excise P.S. District- Saran

1. Subhash Kumar Son of Late Rajendra Rai R/o Village- Rupganj, P.S.- Chapra Town, Distt.- Saran at Chapra
2. Rakesh Kumar S/o Suresh Prasad R/o Mohalla- Rupganj, P.S.- Chapra Town, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sadar Excise PS Case No. 222 of 2024 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 70 liters country made liquor was recovered from e-rickshaw.

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. It is submitted petitioners were passengers of the e-rickshaw and they were oblivious of the fact that illicit liquro was laden in the e-rickshaw. The petitioners are in custody since 17-12-2024 and has got no criminal antecedent/s. 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 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 Sadar Excise PS Case No. 222 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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