

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20829 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- Excise P.S. District- Saran

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1. Lavkush Kumar S/O Surendra Prasad Sah Resident of Village- Shitalpatti, P.S- Chiraiya, District- East Champaran.
 2. Santosh Kumar S/o Jhallu Pandit R/O Village- Ratanwa, P.S- Phenhara, Distt.- East Champaran.
 3. Anand Kishore Kumar S/O Devkishun Bhagat R/O Village- Majhar, P.S- Pakaridayal, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

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

ORAL ORDER

2 04-04-2025 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. 19 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 314.640 liters
foreign liquor was recovered from car.

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. Petitioners are not the owner of the car and at the time of recovery, they were crossing the roads and have fallen in tragic circumstance. The petitioners are in custody since 30-01-2025 and petitioner No.1 is a man of clean antecedent, whereas petitioner Nos. 2 & 3 bears one criminal antecedent each. 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. 19 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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