

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23664 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- Excise P.S. District- Samastipur

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1. Rakesh Kumar S/o Rampukar Mahto R/o vill - Harpur, ward no. 12, P.s.- Musrigharari, Distt.- Samastipur
 2. Santosh Mahto @ Santosh Kumar S/o Ram Pratap Mahto R/o vill - Harpur, ward no. 12, P.s.- Musrigharari, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Samastipur Sadar Excise P.S. Case No. 59/2025 registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 294.750 litres of illicit foreign liquor was recovered from the bag kept in the courtyard in the house of the petitioner no.2

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the



possession of the petitioners. The petitioners have no concern with the alleged recovery. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 04.04.2025 passed in Cr. Misc. No. 20305/2025. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 04.03.2025

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur, in connection with Samastipur Sadar Excise P.S. Case No. 59/2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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