

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22867 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- Excise Benipatti District- Madhubani

1. Kanahaiya Kumar S/o Lalan Shah @ Lalan Kumar Shah R/o vill - Nahash Rupauli, Ward no. 3, P.S.- Bisfi, Distt.- Madhubani
2. Manish Ram S/o Lalan Ram R/o vill - Nahash Rupauli, ward no. 2, P.S.- Bisfi, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikas Kumar Jha, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Benipatti Excise P.S. Case No. 28 of 2025 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 270 litres of liquor was recovered from motorcycle and car.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted



that petitioners are neither the owner nor the driver of the vehicles. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 14.02.2025 and have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 Benipatti Excise P.S. Case No. 28 of 2025.

(Rudra Prakash Mishra, J)

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