

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25838 of 2025

Arising Out of PS. Case No.-147 Year-2025 Thana- Excise P.S. District- Purnia

1. Satyajit Sarkar Son of Paresh Sarkar Resident of village - Kuwait Para, P.S.- Dalkola, District - Uttar Dinajpur (West Bengal).
2. Anik Mandal Son of Radha Charana Mandal Resident of village - Sukaru Jote, Badora, Police Station - Khari Bari, Ataram, District - Darjeeling (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Kumar Bhagat, Adv.
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Purnea/Excise P.S. Case No. 147 of 2025 instituted for the offences under Sections 30(a)/47 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 67.140 liters of illicit foreign liquor from the car bearing Regd. No. WB70J8374. Both the petitioners were arrested on the spot.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged seized vehicle. The petitioners have also no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioners have no criminal antecedent and are languishing in judicial custody since 25.02.2025 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, 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
Purnea/Excise P.S. Case No. 147 of 2025.

(Rudra Prakash Mishra, J)

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