

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23022 of 2025

Arising Out of PS. Case No.-66 Year-2025 Thana- Excise P.S. District- Bhojpur

1. Raushan Kumar son of Bidhan Rai Vill -Shiv Tola, Bharamchari, Sherpur PS- Maner Dist -Patna
2. Bideshi Kumar son of Agam Rai Vill -Shiv Tola, Bharamchari, Sherpur PS- Maner Dist -Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-04-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Bhojpur Excise Sadar PS Case No. 66 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 172.800 liters foreign liquor was recovered from Scorpio.

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 that one of the petitioners was driving the vehicle whereas the other was sitting in the vehicle in question, but they are not the owner of the vehicle. He goes on to submit that petitioners were only entrusted with the task of driving and they were oblivious of the fact that illicit liquor was laden in the vehicle. The petitioners are in custody since 09-03-2025 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, clean antecedent of the petitioners 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 Bhojpur Excise Sadar PS Case No. 66 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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