

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22497 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- Excise P.S. District- Gopalganj

1. Raju Sahni S/O Chandeshwar Sahni Resident of Village- Mansurpur Halaiya, P.S- Goraul, District- Vaishali.
2. Anil Kumar S/O Ramnath Ray Resident of Village- Mansurpur Halaiya, P.S- Goraul, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 10-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise PS Case No. 83 of 2025 instituted for the offences under Sections 30(a) & 32 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 1616.040 liters foreign liquor was recovered from DCM mini truck.

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 petitioner No.1 is driver and petitioner No.2 is cleaner of the truck and they were oblivious of the fact that illicit liquor was loaded in the vehicle. The petitioners are in custody since 07-02-2025 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 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 Excise PS Case No. 83 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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