

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24863 of 2025

Arising Out of PS. Case No.-286 Year-2025 Thana- Excise P.S. District- East Champaran

1. Nandan Kumar Bhagwan Chaudhary @ Sri Bhagwan Chaudhary Resident of village-Fulwariya, Ward no 11, P.S.-Dhaka, District- East Champaran
2. Harendra Kumar S/o Late Ramsewak Sah R/o Vill- Fulwariya, Ward No. 11, P.S.- Dhaka, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioners seek bail in connection with Excise P.S. Case No. 286 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 45 liters liquor was recovered from motorcycle and both the petitioners were apprehended on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have been recovered from the conscious possession of the petitioners. The petitioners



have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners also submits that the petitioners are not the owner of seized motorcycle in question. It is further submitted that the petitioners were passerby of that way and were apprehended on the basis of suspicion. The petitioners are in custody since 26.02.2025 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. Case No. 286 of 2025.

(Rudra Prakash Mishra, J)

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