

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24604 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- AMBA District- Aurangabad

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1. Shailesh Kumar Son of Late Kailash Prasad village- Khakarni, P.S. Aurangabad Muffasil, Dist- Aurangabad
 2. Raju Kumar Son of Surendra Singh village- Khakarni, P.S. Aurangabad Muffasil, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek bail in Amba P.S. case No.

33 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 100.5
liters liquor was recovered from E-rickshaw and the
petitioners were arrested 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



has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is further submitted that petitioner No. 1 is driver-cum-owner of the vehicle and the petitioner no. 2 is neither owner nor driver of the vehicle. The petitioners have no knowledge regarding nature of goods kept in the vehicle as the said E-rickshaw is used as public vehicle. The petitioners are not indulged in any kind of business related to illegal trade of liquor. The petitioners are in custody since 26.02.2025 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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 antecedents 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 Amba
P.S. case No. 33 of 2025.

(Rudra Prakash Mishra, J)

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