

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25593 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- Excise P.S. District- Bhojpur

1. Sanni Kumar S/O Dharmendra Saw R/O Village- Ward No.-03, Ghoswari, P.S- Bakhtiyarpur, Distt.- Patna.
2. Kanhaiya Kumar S/O Ramsagar Saw R/O Village- Ward No.-03, Ghoswari, P.S- Bakhtiyarpur, Distt.- Patna.
3. Abhishek Kumar S/O Ashok Chaudhary R/O Village- Ward No.-08, Ganjpar, P.S- Athmalgola, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh
For the Opposite Party/s : Mr. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-05-2025 1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of regular bail, arises out of Bhojpur, Ara, Police Station Case No. 53 of 2025, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on 01.03.2025, police intercepted a white Bolero near Kayamnagar overbridge during a liquor raid. The vehicle was stopped and 466.56 liters of foreign liquor was recovered from the vehicle. Three individuals, including the driver, were apprehended.



4. Learned counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in the present case due to monopoly of the Excise Department. Learned counsel next submits that petitioners unknowingly took a lift in the Bolero while returning from Prayagraj and were unaware that the vehicle carried illegal liquor. Petitioners are not the owner of the alleged seized vehicle. Nothing has been recovered from the conscious possession of the petitioners. Petitioners are having no criminal antecedent. Petitioners are in custody since 01.03.2025.

5. Regards being had to the submissions made by the parties and taking into consideration the period of custody of the petitioner and the fact that petitioners are having no criminal antecedent, accordingly, I am inclined to grant regular bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Exclusive Special Judge Excise, Excise Court No. II, Bhojpur at Ara in connection to the Bhojpur, Ara, Police Station



Case No. 53 of 2025.

8. This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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