

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22941 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- Excise Thana Hajipur District- Vaishali

1. Raja Kumar Son of Ranjit Chaudhary R/O Karmali Chak @ Karamlichak @ Kamalichak, Patna City, P.S.- Bypass, District - Patna.
2. Manish Kumar Son of Sanjay Sah R/O Karmali Chak @ Karamlichak @ Kamalichak, Patna City, P.S.- Bypass, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Hajipur Excise P.S. Case No. 58 of 2025 instituted for the offences under Section 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 735 liters of illicit spirit from the Tempo bearing Regd. No. BR01GL-4265. The petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the



present case merely on the basis of suspicion. The petitioner no.1 is the driver-cum-owner whereas petitioner no.2 is the cleaner. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioners have no concern with the seized liquor. The petitioners were not aware of the contents of the material loaded in the alleged Tempo. The petitioners have never indulged in the trade of spirit. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioners have no criminal antecedent and are languishing in judicial custody since 25.02.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, 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 Hajipur Excise P.S.
Case No. 58 of 2025.

(Rudra Prakash Mishra, J)

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