

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27964 of 2025

Arising Out of PS. Case No.-108 Year-2025 Thana- EXCISE DANAPUR District- Patna

1. Raj Kumar Son of Ram Bharosha Ray Residence of village - Maudahi, P.S.- Bihta, District - Patna.
2. Rahish Kumar Son of Late Ramniwash Rai @ Late Ramniwash Residence of village - Maudahi, P.S.- Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Prasad, Advocate
		Ms. Surbhi Kumari, Advocate
		Ms. Shyamli Kumari, Advocate
For the Opposite Party/s :		Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise Danapur P.S. Case No. 108 of 2025, instituted for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 40 liters liquor was recovered from motorcycle and 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 no direct or specific allegation has been attributed against the petitioners, rather the same is general and omnibus in nature. It is further submitted that the petitioners have got no concern with the motorcycle in question. The petitioners are in custody since 10.02.2025 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 Danapur P.S. Case No. 108 of 2025.

(Rudra Prakash Mishra, J)

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