

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23852 of 2025

Arising Out of PS. Case No.-174 Year-2025 Thana- Excise P.S. District- Gopalganj

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1. Guddu Kumar S/O Awdesh Rai Resident of village- Dharampur, P.S.- Muffasil, Distt.- Samastipur
 2. Veerchand Rai @ Virchandra Ray S/O Sri Ram Vilas Ray @ Ramvilash Ray Resident of village- Dadpur Chaknur, P.S.- Muffasil, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-04-2025 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. 174 of 2025 instituted for the offences punishable under Sections 30(a), 32 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 310.500 litres of liquor was recovered from Tata Harrier Car.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted



that petitioners are not the owner of the vehicle. It is further submitted that petitioners are driver of the vehicle and both the petitioners have got no concern with the loaded articles/liquor. The petitioners are in custody since 19.03.2025. Petitioner no. 1 has no criminal antecedent whereas petitioner no.2 has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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/- (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. 174 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel



the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Alok Verma/-

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