

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26628 of 2025**

Arising Out of PS. Case No.-52 Year-2025 Thana- TARAIYA District- Saran

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1. Suraj Kumar S/o- Vijay Sah Village- Sabalpur Ps- Sonpur Dist- Saran
  2. Abhishek Kumar S/o- Mithalesh Ray @ Mithilesh Ray Village- Sabalpur Ps- Sonpur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate  
For the Opposite Party/s : Dr. Ajeet Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      29-04-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners seek bail in connection with Taraiya  
P.S. Case No. 52 of 2025, instituted for the offences punishable  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 508.320  
liters liquor was recovered from tractor and both 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 the petitioners are driver and helper of that tractor and both of them have no knowledge regarding the nature of goods loaded in the vehicle. It is further submitted that none of the petitioners are owner of the tractor in question. The petitioners are in custody since 27.02.2025 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 Taraiya P.S. Case No. 52 of 2025.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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