

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29149 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- EXCISE JAGDISHPUR District- Bhojpur

1. Vikash Mahto S/o- Late Surendra Ray R/o- Digha Nirala Colony, Ps- Digha Dist- Patna
2. Hare Shankar Kumar S/o- Late Surendra Ray R/o- Digha Nirala Colony, Ps- Digha Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise Jagdishpur PS Case No. 68 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 951.840 litres of foreign liquor was recovered from pick-up vehicle bearing Registration No. BR01GF-7215.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is



submitted that petitioner no. 1 is the driver and petitioner no. 2 is the co-driver (Khalasi) of the seized vehicle and they have no knowledge regarding the nature of goods booked by the transporter. The petitioners are in custody since 21.03.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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, clean antecedent of the petitioners 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Jagdishpur PS Case No. 68 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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