

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29978 of 2025

Arising Out of PS. Case No.-145 Year-2025 Thana- EXCISE DANAPUR District- Patna

1. Ritesh Kumar S/O Shankar Ray Resident of Village- Narayanpur (Sherpurva) P.S.- Bihta, District- Patna
2. Rahul Kumar S/O Ramji Ray Resident of Village- Mustafapur, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Chandra, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Special Excise Case No. 801 of 2025 (arising out of Excise Danapur P.S. case No. 145 of 2025) instituted for the offences under Section 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 200 liters liquor was recovered from Maruti Suzuki Van.

4. Learned counsel for the petitioners submits 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 further submitted that the Maruti van in question does not



belong to the petitioners. The petitioner No. 1 is driver and petitioner No. 2 is a passenger sitting in the vehicle. They have no knowledge regarding the nature of goods kept in vehicle. The petitioners are in custody since 16.03.2025 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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 antecedents 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 Special Excise Case No. 801 of 2025 (arising out of Excise Danapur P.S. case No. 145 of 2025).

(Rudra Prakash Mishra, J)

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