

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31663 of 2025

Arising Out of PS. Case No.-238 Year-2025 Thana- Excise P.S. District- Siwan

1. Sudhir Ray Son of Paltan Ray Resident of village -Bara Harsan Chak, PS-Danapur District- Patna
2. Sonu Kumar Son of Sahdev Ray Resident of village -Bara Harsan Chak, PS-Danapur District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Siwan (Sadar) Excise PS Case No. 238 of 2025 instituted for the offences under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 190.440 liters foreign liquor was recovered from Tempo.

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 submitted that petitioners are neither the owner nor the driver of the tempo in question. The petitioners are in custody since 05-04-2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 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 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 Siwan (Sadar) Excise PS Case No. 238 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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