

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31713 of 2025

Arising Out of PS. Case No.-142 Year-2025 Thana- Excise P.S. District- Jamui

1. Roushan Kumar S/o- Rambali Yadav Vill- Pachrukhi Ps- Bhithan Dist- Samastipur
2. Pappu Kumar S/o- Hareram Yadav Village- Ijraha Chhorai Ps- Chhorai OP Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ankita Kumari, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, 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 Jam PS Case No. 142 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 444.960 liters foreign liquor was recovered from Tata Magic.

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 petitioner No.1 is the driver and petitioner No.2 is the co-driver of the vehicle in question and they were oblivious of the fact that illicit liquor was laden in the vehicle. The petitioners are in custody since 05-03-2025. Petitioner No. 1 is a man of clean antecedent, whereas petitioner No.2 bears two criminal antecedents. 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 Jam PS Case No. 142 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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