

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33707 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- IMAMGANJ District- Gaya

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1. Santan Kumar son of Baiju Ram village- Matachak, Ps- Imamganj, Dist- Gaya
 2. Raushan Kumar @ Raushan son of Sanjay Rajak village- Matachak, Ps- Imamganj, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-05-2025 1. Heard learned counsel for the petitioner and learned APP for the State.

2. A prayer for bail has been made on behalf of the petitioner in connection with Imamganj P.S. Case no.74 of 2025 registered under section 30(a) of the Bihar Prohibition and Excise Act and Sections 317(5), 319(2), 318(4), 338, 336(3), 340(2) and 3(5) of the B.N.S, 2023.

3. As per F.I.R, there is recovery of 15 litres of country made liquor from a bag carried by the apprehended persons, the petitioners herein. It is further alleged the motorcycle which was driven by the accused Santan Kumar is also stolen one.



4. Learned counsel for the petitioners submits that petitioner no. 1 is the driver of the said motorcycle and the petitioner no. 2 is the pillion rider. A false recovery had been shown from the bag of the petitioner no. 1. He further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S. The petitioners have no criminal antecedent and they are in custody since 07.03.2025.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the above mentioned facts of the case, the petitioners are directed to be enlarged on bail in connection with Imamganj P.S. Case no.74 of 2025 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise No.2, Gaya.

(Soni Shrivastava, J)

Harsh/-

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