

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37979 of 2025

Arising Out of PS. Case No.-281 Year-2025 Thana- Excise P.S. District- Siwan

1. Sahil Son of Kamal Resident of House No.- 1477/18 Old DC Road, Bhagatpura, P.S.- Civil, District - Sonipat (Haryana).
2. Sajid @ Shajid Son of Md. Najmul Resident of - Ward No.- 26, Street - 02, Karak Duma Village, Purvi Delhi, P.S.- Anand Vihar, District - East Delhi, Pin - 110094.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-06-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Siwan Excise P.S. case No. 281 of 2025 instituted for the offences under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 504.045 liters liquor was recovered from a car and the petitioner was arrested on spot.

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. The



vehicle in question does not belong to the petitioners. It is further submitted that petitioner No. 1 is driver and petitioner No. 2 is co-driver of the vehicle in question and they have no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 25.04.2025 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 antecedent 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 Excise P.S. case No. 281 of 2025.

(Rudra Prakash Mishra, J)

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