

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35241 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- Excise Mashrakh District- Saran

-
1. Rajnish Kumar S/O Bhagwan Prasad R/O Village- Nautan, P.S- Nautan, Dist.- Siwan.
 2. Chandan Kumar S/O Panchdeo Ram Residence of Village- Nautan, PS- Nautan, District- Siwan

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Ms. Chetra, Advocate
For the State	:	Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 14-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Mashrakh Excise P.S. Case No.41 of 2025, dated-09.04.2025, registered for the offences punishable under Sections 30(a), 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per allegation, 164.16 litres of illicit liquor has been recovered from a Maruti Suzuki Brezza car bearing Registration No. BR-31Q-8201 which was being driven by the Petitioner, Chandan Kumar and the Petitioner, Rajnish Kumar was also sitting in the car.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case. He further submits that the Petitioners have nothing to do with the alleged illicit liquor, nor does the car belong to them. In fact, they were just the passers by and the police apprehended them. He also submits that investigation in this case is complete.

5. He further submits that the petitioners have been languishing in jail since 10.04.2025.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioners have no criminal antecedent.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioners for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioners, above-named, to be enlarged on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below in connection with Mashrakh Excise P.S. Case No.41 of 2025 on the following conditions:

(i) The petitioners will make themselves available for



interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not get hampered on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

Chandan/-

U		T	
---	--	---	--

