

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36805 of 2025

Arising Out of PS. Case No.-124 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

1. Rahul Kumar Son of Harendra Singh Resident of Village- Chaksaid PS- Harlochanpur (Patepur) Dist -Vaishali at Hajipur
2. Sunil Kumar Son of Late Sitaram Shah Resident of Village- Kasturi Saray, PS- Harlochanpur (Patepur) Dist -Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-06-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Kuchaikote P.S. Case No. 124 of 2025, instituted for the offences punishable under Sections 317(5), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 129.3 liters liquor was recovered from car and both the petitioners were apprehended 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 have been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. Learned counsel for the petitioners also submits that the petitioners are driver and co-driver of the car in question and they have got no knowledge regarding the goods loaded in the car. The petitioners are in custody since 03.04.2025 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kuchaikote P.S. Case No. 124 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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