

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38787 of 2025

Arising Out of PS. Case No.-122 Year-2025 Thana- Excise P.S. District- Araria

1. Satya Narayan Kumar @ Satya Narayan Sah S/o Late Bhajan Sah Resident of Village- Baurha, Ward No. 10, Police Station- Karjayeen Bazar, District- Supaul
2. Chandan Kumar S/o Ranjit Mandal Resident of Village- Baurha, Ward No. 10, Police Station- Karjayeen Bazar, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 23-06-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Araria Excise P.S. Case No. 122 of 2025 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 135 litres of liquor was recovered from two motorcycles.

4. Learned counsel for the petitioners submitted that



the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that petitioners are not the owner of the vehicles. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 14.04.2025. Petitioner no. 1 has two criminal antecedent whereas petitioner no.2 has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Araria Excise P.S. Case No. 122 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every



date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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