

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36597 of 2025

Arising Out of PS. Case No.-294 Year-2025 Thana- KOTWALI District- Patna

1. Ajnish Kumar son of Sri Rajiv Kumar Village -sabbima PS- Athmalgola District- Patna
2. Rahul Kumar son of Sri Ghanshayam Prasad village- Sikandarpur, Ps- Barh, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. Perusal of the first information report and the seizure list would go to show that total 493.920 liters of illicit liquor is said to have been recovered from a Breeza car in which the petitioners were seated.

4. It is submitted by learned counsel for the petitioners that no recovery has been made from conscious or physical possession of the petitioners. The petitioners are neither the



owner of the said car nor they have any concern with the seized liquor. There is violation of the mandatory provisions of the search and seizure as there is no independent witness to the seizure list. Petitioners have no criminal antecedent and has been languishing in custody since 16.05.2025.

5. Taking into consideration the fact and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kotwali P.S. Case No. 294 of 2025.

(Soni Shrivastava, J)

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