

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40056 of 2025

Arising Out of PS. Case No.-147 Year-2025 Thana- RIGA District- Sitamarhi

1. Samshad Ansari Son of Hasan Ansari R/o Village -Musachak, Ward No.5, P.S.- Bairgania, Dist. -Sitamarhi
2. Aakhilesh Kumar son of Nand Lal Sha R/o Village - Nandbara, Ward No.7, P.S.- Bairgania, Dist. -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Murari, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Riga P.S. Case No. 147 of 2025, instituted for the offences punishable under Sections 317(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, 242.100 liters liquor was recovered from car and 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 neither owner nor driver, rather they were only sitting in the car and have got no knowledge with regard to the nature of goods loaded in the vehicle in question. The petitioners are in custody since 14.04.2025 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 Riga P.S. Case No. 147 of 2025.

(Rudra Prakash Mishra, J)

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