

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37763 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- SUGAULI District- East Champaran

1. Vivek Kumar Singh S/o- Manoj Singh Village- Majlishpur Purana Tola Ps- Mahanar Dist- Vaishali
2. Vijay Kumar S/o- Late Jageshwar Singh Village- Mahanar Sipahi Tola Ps- Mahanar Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, 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 Sugauli PS Case No. 81 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 355.59 liters liquor was recovered from two cars.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is



submitted that petitioner No.1 was allegedly driving the car, whereas petitioner No.2 was passenger of the car in question and they were unaware of the fact that illicit liquor was laden in the vehicle. The petitioners are in custody since 18-02-2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023. Other co-accused have been granted bail by this Court vide order dated 13-05-2025, passed in Cr. Misc. No. 31505 of 2025.

5. Learned A.P.P. 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 Sugauli PS Case No. 81 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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