

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39951 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- MAHISHI District- Saharsa

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1. Balaji Kumar @ B.K. S/o Rampravesh Mishra Resident of village- Visunpur Baghnagari, Ward No 05, PS- Sakra, Dist- Muzaffarpur
 2. Sanjeev Kumar S/o Late Janardan Rai R/o vill - Rupanpatti, P.S.- Sakra, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, 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 Mahishi PS Case No. 101 of 2025 instituted for the offences under Sections 30(a), 41 & 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 1188 liters foreign liquor was recovered from Container vehicle.

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. Learned counsel for the petitioner submits that petitioner No.1 is the driver, whereas petitioner No.2 is the cleaner of the vehicle in question and they were not aware of the illicit goods loaded in the vehicle. The petitioners are in custody since 27-03-2025 and has got no criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

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 Mahishi PS Case No. 101 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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