

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38027 of 2025

Arising Out of PS. Case No.-144 Year-2025 Thana- BAUNSI District- Banka

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1. Pritam Kumar S/o Shambhu Sharan Manjhi Resident Of Village- Ganawa Wakar, P.S-Banka, Dist- Banka
 2. Rakesh Kapri S/o Bodh Narayan Kapari R/o Village- Dudhari, P.S- Banka , Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 30-06-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Bounsi PS Case No. 144 of 2025 corresponding to Special Excise Case No. 153 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 609.12 liters foreign liquor was recovered from two Scorpio.

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 is the driver whereas petitioner



no.2 is the co-driver of the alleged Scorpio bearing Regd. No. BR10PA-7866 and they were oblivious of the fact that illicit liquor was laden in the vehicle. The petitioners are in custody since 02-05-2025 and have got no criminal antecedent/s. There is no compliance of Section 103 of the B.N.S.S., 2023. Learned counsel for the petitioners further submits that the co-accused persons have already been granted bail by this Court vide order dated 19.06.2025 passed in Cr. Misc. No. 38299 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 Bounsi PS Case No. 144 of 2025 corresponding to Special Excise Case No. 153 of 2025.

(Rudra Prakash Mishra, J)

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