

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38717 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- KHUSRUPUR District- Patna

1. Chandan Kumar S/O Baccha Rai Resident of Village- Purushottampur, PS- Raghapur, District- Vaishali
2. Tufani Rai S/O Gurusharan Rai Resident of Village- Purushottampur, PS- Raghapur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand, Adv.

For the Opposite Party/s : Ms.Anita Kumari, 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 Khusrupur P.S. Case No. 125 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act and Section 317(5) of the B.N.S.

3. As per prosecution case, the police has recovered total 70 liters of illicit country-made liquor from the motorcycle. The petitioners were arrested on the spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. He further submits that nothing incriminating has



been recovered from the conscious possession of the petitioners. The petitioners have no concern with the recovered liquor. The petitioners are not the owner of the alleged seized motorcycle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner no.1 has no criminal antecedent whereas petitioner no.2 has one criminal antecedent and are languishing in judicial custody since 17.04.2025 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners, let the petitioners, abovenamed, 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 Khusrupur P.S. Case No. 125 of 2025.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

