

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41053 of 2025

Arising Out of PS. Case No.-386 Year-2020 Thana- PARSA District- Saran

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1. Suresh Rai @Suresh Ray Son of Rambriksh Ray Resident of Village- Salempur, P.S.- Lalganj, Distt.- Vaishali at Hajipur
 2. Durgesh Ray @ Durgesh Rai @ Durga Ray Son of Late Ramprit Ray Resident of Village- Salempur, P.S.- Lalganj, Distt.- Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Parsa PS Case No. 386 of 2020 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 100 liters liquor was recovered from bank of *Gandak* river.

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 recovery is from an open place, which is accessible to one and all. The petitioners are in custody since 05-04-2025 and petitioner No.1 bears one criminal antecedent, whereas petitioner No.2 bears two 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 Parsa PS Case No. 386 of 2020.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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