

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42384 of 2025

Arising Out of PS. Case No.-593 Year-2025 Thana- Excise P.S. District- Patna

1. Md. Salman S/o Late Md. Kasim @ Kasim @ Md. Kasim Alam R/o Village - Sammspur, Ward no.03, P.S.-Nadi, District-Patna
2. Amarjit Kumar @ Makaiya @ Amarjeet Kumar @ Anarjeet Kumar S/o Uday Rai R/o Village - Maujipur, Ward no.04, P.S.-Nadi, District-Patna
3. Ritik Kumar S/o Vinod Paswan R/o Village - Bankipur Gorakh, P.S.-Fatuha, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 08-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Excise (Prohibition) P.S. Patna Case No. 593 of 2025 instituted for the offences punishable under Sections 30(a), 56(b) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 504 litres of liquor has been recovered from scooty, motorcycle and pickup van.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case.



No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that petitioner nos. 1, 2 and 3 have been apprehended on the spot from Scooty, motorcycle and pick-van, respectively and they are the owner of the vehicles in question. Learned counsel further submitted that, as a matter of fact, the petitioners are only the passerby and have been implicated only on the basis of suspicion. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 24.04.2025. Petitioner no. 1 has three criminal antecedents, petitioner no. 2 has one criminal antecedent whereas petitioner no. 3 has five criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 Excise (Prohibition)



P.S. Patna Case No. 593 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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