

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43711 of 2025**

Arising Out of PS. Case No.-368 Year-2025 Thana- Excise P.S. District- Siwan

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1. Ravi Raj Kumar@Ravi Raj S/O Sorvind Yadav@Sarbind Yadav R/O Village- Barah, P.S- Harnaut, District- Nalanda, Bihar.
  2. Anish Kumar S/O Subodh Yadav R/O Village- Barah, P.S- Harnaut, District- Nalanda, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sarfraz Ahmad, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      14-07-2025                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sadar Siwan Excise P.S. Case No. 368 of 2025, instituted for the offences punishable under Sections 30(a) and 32(iii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 243 liters liquor was recovered from auto and both the petitioners were apprehended on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material have 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 petitioners also submits that petitioner no. 1 is driver and petitioner no. 2 is passenger of the auto and both of them have got no knowledge with regard to the nature of goods loaded in the vehicle in question. The petitioners are in custody since 03.06.2025 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sadar Siwan Excise P.S. Case No. 368 of 2025.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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