

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42618 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- VAINI District- Samastipur

1. Raghuvir Rajput @ Raghuvir S/o- Vajir Chandra Rajput Resident of Village- Plot No 550 Samarth Nagar Teka Naka Nari Road P.S-Kapilnagar District- Nagpur Maharastra
2. Krishna Srivas @ Krishna S/o- Kali Srivas @ Kali Charan Srivas Resident of Village- Rajgrih Nagar Nari Road, Plot NO-253, P.S-Kapilnagar District- Nagpur Maharastra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the Opposite Party/s : Ms. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-07-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in a case registered for the offences punishable under Sections 30(a), 36 and 41(i) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1259.76 litres of illicit foreign liquor was recovered from the truck.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the Petitioner No.1 is the driver while Petitioner No.2 is co-driver of the said seized vehicle and they have no concern with the alleged recovery. It is next



submitted that no incriminating article has been recovered from the conscious possession of the petitioners. It is lastly submitted that the petitioners have clean antecedent and are in custody since 27.03.2025. The learned counsel for the petitioners undertake to deposit a sum of Rs. 5,000/- in the account of Advocate Association of the Patna High Court, Patna.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the petitioners were apprehended with the said truck loaded with huge quantity of illicit foreign liquor.

6. Considering the aforesaid submissions of the parties and taking into account the fact that no incriminating article has been recovered from the conscious possession of the petitioners and also considering the period of custody, let the petitioners, above named, be released on bail on deposition of a sum of Rs. 5,000/- to the Advocate Association of the Patna High Court, Patna, and an acknowledgment receipt be submitted before the learned Court below prior to the furnishing bail bonds and thereafter bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Waini P.S. Case No. 25 of 2025, subject to the following conditions:-



(i) One of the bailors of the petitioners shall be their close relative and the other shall be local resident.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

Siwani/-

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

