

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40478 of 2025

Arising Out of PS. Case No.-704 Year-2025 Thana- Excise P.S. District- Patna

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1. Guddu Kumar S/O Gajar Sahani Resident of Village- Rajwara Bhagwan, P.S.- Mushahri, District- Muzaffarpur
 2. Deep Prakash S/O Dinesh Kumar Sah Resident of Village- Narayanpur Sherpur, (Sonar Patti), P.S.- Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Excise P.S. case No. 704 of 2025 instituted for the offences under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 528 liters liquor was recovered from Tata Intra vehicle.

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



further submitted that petitioner No. 1 is the driver and petitioner No. 2 is co-driver of the vehicle and they had no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 12.05.2025. The petitioner No. 1 has no criminal antecedent whereas petitioner No. 2 has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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 Excise P.S. case No. 704 of 2025.

(Rudra Prakash Mishra, J)

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