

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46228 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- Excise P.S. District- Nalanda

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1. Vikash Kumar @ Vikas Chaudhary @ Bhola Chaudhary S/o- Manikchand Chaudhary Village- New Area Ranabigha Ps- Deepnagar Dist- Nalanda
 2. Nitish Kumar S/o- Ashok Chaudhary Village- Kishanbag Sipahmore Ps- Laheri Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise PS Nalanda FIR/ Excise PS Case No. 139 of 2025 instituted for the offences under Sections 30(a) and 32 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 907.080 litres of foreign liquor was recovered from Bolero Pick-up vehicle bearing Registration No. BR27G-7830.

4. Learned counsel for the petitioners submit 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 petitioner no. 1 is the driver and petitioner no. 2 is sitting as a passenger in the seized vehicle and they have no knowledge regarding the nature of goods booked by the transporter. The petitioners are in custody since 11.03.2025. Petitioner No. 1 has one criminal antecedent and petitioner no. 2 has no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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 PS Nalanda FIR/Excise PS Case No. 139 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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