

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41804 of 2025

Arising Out of PS. Case No.-485 Year-2025 Thana- Excise P.S. District- Gaya

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1. Sagar Kumar Son of Kishori Malakar Resident of Village- Manjhar, P.s.- Paraiya, District- Gaya,
 2. Raj Kumar Son of Chandradeo Das Resident of village- Kurmawa, Ps- Barachatti, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Gaya Excise PS Case No. 485 of 2025 instituted for the offences under Sections 30(a) & 32(c) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 162 liters foreign liquor was recovered from a Car.

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 submitted that petitioner No.1 is the driver, whereas petitioner No.2 is the passenger of the car in question and they were oblivious of the fact illicit liquor was laden in the vehicle. The petitioners are in custody since 12-05-2025 and petitioner No. 1 bears one criminal antecedent, whereas petitioner No.2 is a man of clean antecedent. There is no compliance of Section 103 of the BNSS, 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 Gaya Excise PS Case No. 485 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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