

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43774 of 2025

Arising Out of PS. Case No.-199 Year-2025 Thana- MUFFASIL District- Aurangabad

1. Birendra Kumar Singh @ Virendra Kumar Singh S/o Saryu Singh R/o vill - Manjuraahi, P.S.- Aurangabad Muffasil, Distt- Aurangabad, Bihar
2. Abhishek Kumar S/o Santosh Paswan R/o vill- Kathautiya, P.S.- Aurangabad Muffasil, Distt.- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

For the Opposite Party/s : Mrs.Shaheen Begum, APP

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 Aurangabad Muffasil P.S. case No. 199 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 130.5 liters liquor was recovered from jute sack at the bank of a river.

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 recovery is made at the bank of river, an open place accessible to one and all. The petitioners are not indulged in any kind of business related to illegal trade of liquor. They were simply passerby of the way. The petitioners are in custody since 29.05.2025. The petitioner No. 1 has got three criminal antecedent while petitioner No. 1 has got no 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 Aurangabad Muffasil P.S. case No. 199 of 2025.

(Rudra Prakash Mishra, J)

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