

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45174 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- Lakho District- Begusarai

1. Kundan Kumar S/O Mahendra Mandal Resident of village- Rakudih, Ward No. 5, P.S.- Jasidih (Devipur OP), Dist.- Deoghar, Jharkhand.
2. Bhola Shanker Singh S/O Late Madan Mohan Singh Resident of village- Rohini Nawadih, P.S.- Jasidih, Dist.- Deoghar, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Lakho P.S. Case No. 86 of 2025 instituted for the offences punishable under Sections 30(a), 32(3), 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 99.750 litres of liquor was recovered from Scorpio.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted



that petitioners are not the owner of the vehicle. It is further submitted that petitioners are merely the driver and co-driver and both the petitioners have got no concern with the loaded articles/liquor. The petitioners are in custody since 04.05.2025 and have one criminal antecedent each. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 Lakho P.S. Case No. 86 of 2025.

(Rudra Prakash Mishra, J)

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