

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51912 of 2025

Arising Out of PS. Case No.-252 Year-2025 Thana- Excise P.S. District- Kishanganj

1. Vikash Kumar S/o Vinay Prasad Resident Of Village - Kandopur Gulzar Bigha, P.S. - Giriyak, District - Nalanda, Bihar
2. Nitish Kumar S/o Late Parmeshwar Sahni R/o vill - Pahetiya, P.s. - Kajipur, Distt.- vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar Gupta, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 06-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Special Case No. 261 of 2025, arising out of Kishanganj Madya Nished P.S. case No. 252 of 2025 instituted for the offences under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 175 liters liquor was recovered from 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 further submitted that the vehicle in question does not belong to the petitioners. The petitioners are in custody since 21.05.2025 and have 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, clean antecedents 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.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Case No. 261 of 2025, arising out of Kishanganj Madya Nished P.S. case No. 252 of 2025.

(Rudra Prakash Mishra, J)

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