

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47610 of 2025

Arising Out of PS. Case No.-273 Year-2025 Thana- EXCISE MASAUDHI District- Patna

1. Suraj Paswan, (M), aged about 22 years, S/O Late Lalan Paswan @ Lalan Paswan, R/O Rajapul Nehru Nagar Musahritoli, P.S.- Patliputra, Distt- Patna.
2. Sujeet Kumar, (M), aged about 20 years, S/O Jitendra Manjhi, R/O Rajapul Nehru Nagar, Musahritoli, P.S.- Patliputra, Distt- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ram Jiban Pd Singh, Advocate
For the Opposite Party	:	Mrs. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

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

2. The petitioners seek bail in connection with Excise Masuarhi P.S. Case No. 273 of 2025 dated 13.06.2025 registered for the offences punishable under Sections 30(a), 32(3) and 56(b) of the Bihar Prohibition and Excise Act (Amendment) Act, 2018.

3. As per the prosecution case, total 150 litres of illicit country made liquor was recovered from the E-rickshaw which was driven by the petitioner no. 1 and and the petitioner no. 2 was sitting on the said vehicle.

4. Learned counsel for the petitioners has submitted



that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the petitioner no. 1 is said to be the driver of the said vehicle and he alongwith the petitioner no. 2 was arrested in the present case. The real fact is that the petitioner no. 1 was not driving the said vehicle rather the petitioners are passerby and the police arrested them and demanded huge money and on non-fulfilment of the same they have falsely been implicated in the present case. No incriminating article has been recovered from the possession of the petitioners. They have no concern with the alleged offence. There is no statutory compliance of Section 103 of the B.N.S.S., 2023. The petitioners are simply the labourers and they are working as work available on daily wages basis engaged by the needy persons. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail petition. They are in custody in this case since 14.06.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with



two sureties of the like amount each to the satisfaction of
learned Exclusive Special Excise Judge-2nd, Patna in
connection with Excise Masuarhi P.S. Case No. 273 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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