

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51014 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- Excise Jhanjharpur District- Madhubani

1. Md. Ibran S/O Md. Mumtaz @ Mohammed Mumtaz R/o - Islampur, P.S - Jhanjharpur, District - Madhubani, Bihar
2. Md. Arman S/O Md. Ayub R/o Vill.- Khutauna, P.S - Khutauna, District - Madhubani, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-08-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise Jhanjharpur PS Case No. 96 of 2025 instituted for the offences under Sections 30(a), 32(1) & 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 108 liters Nepali liquor was recovered from motorcycle.

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 motorcycle in question is registered in the name of brother of petitioner No.2. The petitioners are in custody since 08-06-2025 and petitioner No.1 bears one criminal antecedents, whereas petitioner No.2 bears no criminal 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 Excise Jhanjharpur PS Case No. 96 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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