

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54555 of 2025

Arising Out of PS. Case No.-544 Year-2025 Thana- Excise P.S. District- Purnia

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1. Ankit Kumar S/o Gajendra Yadav Resident of Jairam Parsi, Ward No. 2, P.S.- Sadar, District- Madhepura
 2. Gaurav Kumar S/o Pappu Yadav Resident of Jhitkiya Ward No. 8, P.S.- Sadar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md Fazle Karim, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 13-08-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Excise P.S. case No. 544 of 2025 instituted for the offences under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 99.420 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 petitioners are not the owner of the car in question. The petitioner No. 1 was driving the car while petitioner No. 2 was sitting as passenger in the car and they had no knowledge regarding the nature of goods kept in vehicle. The petitioners are in custody since 05.07.2025 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 Excise P.S. case No. 544 of 2025.

(Rudra Prakash Mishra, J)

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