

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56675 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- Raghunathpur District- East Champaran

1. Nikesh Sah S/o Madan Sah Resident of Shankar Saraiya, P.S. -Turkauliya, Dist. - East Champaran
2. Akshay Lal Son of Ramadhar Mahot @ Ramadhar Mahto R/o Village - Shankar Saraiya, P.S. - Turkauliya, Dist. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Raghunathpur P.S. Case No. 119 of 2025, instituted for the offences punishable under Sections 30(a), 41(1) and 52 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 273 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. Name of the petitioners have surfaced in this case on the disclosure made by co-accused persons. Learned counsel for the petitioners also submits that the petitioners are neither owner nor driver of the car in question and they have got no knowledge with regard to the nature of goods loaded in the car. The petitioners have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Other co-accused has been granted bail by this Court vide order dated 09-07-2025, passed in Cr. Misc. No. 43397 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where



the case is pending/successor court in connection with Raghunathpur P.S. Case No. 119 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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