

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64515 of 2025

Arising Out of PS. Case No.-457 Year-2025 Thana- KADAMKUAN District- Patna

1. Golu Kumar @ Prince Son of Munna Prasad R/O- Gurhatta near Govt.School, Renter in the House of Mohan Prasad, P.S.- Khajekala, Dist.- Patna.
2. Rohit Kumar Son Rassu Prasad R/o Gurhatta near Mutan Ghat Masjid House beside Kanchan Ray, P.S. - Khajekalan, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ram Jiban Pd Singh, Advocate
For the Opposite Party/s :	Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Kadamkuan P.S. Case No. 457 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the F.I.R., recovery of total 80 litres of country made liquor has been made from an E-rickshaw bearing Reg. No. BR01RA2382 which is the subject matter of the present case.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have falsely been implicated in this case. They have got no criminal antecedent and nothing has been recovered from their conscious possession. As per provision of Section 103 of the BNSS, the search and seizure have to be made in presence of two local, respectable and independent witnesses but violating the same, the search and seizure were made in presence of two constables of raiding party and they were made seizure list witnesses also. Petitioners are not the owner nor the driver of the alleged E-rickshaw; they have no concern with the the said E-rickshaw rather they are daily wage labourer. Both the petitioners are in custody since 04.07.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special



Excise Judge 2nd, Patna in connection with Kadamkuan P.S.

Case No. 457 of 2025 subject to the following conditions :-

(i). Petitioners will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be their family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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