

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75268 of 2025**

Arising Out of PS. Case No.-295 Year-2025 Thana- SURSAND District- Sitamarhi

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1. Aakash Kumar Son of Lalbabu Mahto Resident of Village- Bathnaha Madhopur, Ward No.-7 P.S. - Bathnaha, District - Sitamarhi.
  2. Kashi Kumar Son of Shankar Mahto Resident of Village- Tirkoliya, P.S. - Bathnaha, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2      04-11-2025                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sursand P.S. Case No. 295 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 266.4 liters liquor was recovered from car and both the petitioners were apprehended on spot.

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. Learned counsel for the petitioners also submits that the petitioners are neither owner nor driver of the car in question rather they were only sitting in that car and have been arrested on the basis of suspicion. The petitioners are in custody since 31.07.2025 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sursand P.S. Case No. 295 of 2025.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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