

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69776 of 2025

Arising Out of PS. Case No.-441 Year-2025 Thana- MALSALAMI District- Patna

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1. Manoj Kumar, S/o Late Ram Pravesh Rai, R/o Village- Sukumarpur, P.S- Raghapur, District- Vaishali
 2. Radhe Kumar, S/o Krishna Ray R/o village - Kila Road, P.S.- Chowk, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Malsalami P.S. Case No.441/2025, registered for the offence under Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, total 40 liters of country made *Mahua* liquor was recovered from the motorcycle of the petitioners, who were apprehended after chase.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The petitioners have no concern either with the seized



liquor or with the motorcycle. Nothing incriminating has been recovered from the person/possession of the petitioners. The petitioners are in custody since 23.08.2025. The petitioner no.1 is having clean antecedent and the petitioner no. 2 is having criminal antecedent of four cases and he is on bail in all such cases.

5. Learned A.P.P. vehemently opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the quantity of liquor recovered and further considering the period of custody of the petitioners, the petitioners are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City/ concerned court, in connection with Malsalami P.S. Case No. 441/2025, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on



each and every date fixed by the below, if
so required by the learned trial court.

(iii) In case of absence on three
consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioners will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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