

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69876 of 2025

Arising Out of PS. Case No.-234 Year-2025 Thana- EXCISE NAUGACHIA District-
Bhagalpur

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1. Rakesh Kumar, S/o Mahendra Jha, R/o Village- Sirnaya, Ward No. 11, P.S.-
Matihani, District- Begusarai
 2. Ajay Kumar, S/o Bal Krishna Singh, R/o- Lohiya Nagar, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Pandey,, 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 Excise (Naugachia) P.S. Case No. 234 of 2025, registered for the offences under Sections 30 (a)/32(3) of Bihar Prohibition and Excise Act.

3. As per prosecution case, from the car of the petitioners, recovery of total 79.650 liters of Indian made foreign liquor was made.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The petitioners have no concern with the seized liquor. The petitioners are not the owners of the car and the petitioners are



merely driver and cleaner and they have no knowledge about the illicit consignment kept in the car. The petitioners are in custody since 19.08.2025 and are having clean antecedent.

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 fact that the petitioners are stated to be the driver and cleaner of the vehicle and further considering the period of custody of the petitioners and their clean antecedent, 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 Excise Judge-1, Bhagalpur/concerned court, in connection with Excise (Naugachia) P.S. Case No. 234/2025, 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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