

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69802 of 2025

Arising Out of PS. Case No.-370 Year-2025 Thana- EXCISE MASAUDHI District- Patna

1. Bittu Kumar, S/o Biru Ram,
2. Awdhesh Kumar S/o Shikandar Das
Both are Residents of Purvi Lohanipur, Devi Asthan, P.S.- Kadamkuan,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, 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 Masaurhi P.S. Case No. 370 of 2025, registered for the offences under Sections 30 (a)/32(3) of Bihar Prohibition and Excise Act.

3. As per prosecution case, in the E-rickshaw of the petitioners, recovery of 83 liters of illicit country made liquor was made.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. Neither the E-rickshaw nor the seized liquor belong to the



petitioners. The petitioner no. 2 was the driver and the petitioner no. 1 was passenger on the said E-rickshaw. Nothing incriminating has been recovered from the person/possession of the petitioners. The petitioners are in custody since 09.08.2025 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 passenger 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 Judge, Excise-2, Patna/concerned court, in connection with Excise Masaurhi P.S. Case No. 370/2025, 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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