

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71106 of 2025

Arising Out of PS. Case No.-87 Year-2025 Thana- EXCISE SONPUR District- Saran

1. Harendra Sah S/O Late Mohan Sah R/O village - Bada Telpa, P. S - Chapra Town, District - Saran
2. Vikash Kumar S/O Chanarik Rai R/O Vill.- Sarai, P.S- Shahpur Patrol, Samastipur
3. Sanjay Rai S/O Jugeshwar Rai R/O Vill.- Sarai, P.S- Shahpur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Adv

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 04-12-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise Sonpur P.S. Case No. 87 of 2025, instituted for the offences punishable under Sections 30(a), 32 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 103.680 liters of foreign liquor was recovered from Bolero.

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 submits that petitioner no.1 is driver, petitioner nos. 2 and 3 were sitting as passengers and they have no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 08.08.2025. Petitioner no.1 has got clean antecedent, petitioner no.2 has got one criminal antecedent and petitioner no.3 has got one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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 Excise Sonpur P.S. Case No. 87 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.



(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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