

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71646 of 2025

Arising Out of PS. Case No.-474 Year-2025 Thana- Excise P.S. District- Jehanabad

1. Prakash S/O Dhanna Ram R/O Village- Uparla, P.S.- Chauhattan, District- Barmer, Rajasthan
2. Hanuman Ram S/O Babuta Ram R/O Village- Hatiya, P.S.- Chauhattan, District- Barmer, Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with
Jehanabad Excise PS Case No. 474 of 2025 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that 2016 liters
foreign liquor was recovered from Mahindra pickup van.

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. It is



submitted that names of the petitioners have surfaced in this case as being driver and cleaner of the vehicle in question, respectively and they were oblivious of the fact that illicit liquor was laden in the vehicle. The petitioners are in custody since 14.07.2025 and petitioner No.1 bears twenty (20) criminal antecedents, whereas petitioner No.2 bears no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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 petitioner No.1, abovenamed, be released on bail, ***after framing of charge, if not already framed*** and petitioner No.2, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jehanabad Excise PS Case No. 474 of 2025, subject to the following conditions:

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



(II) The petitioner 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 petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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