

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74055 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- EXCISE ARERAJ District- East
Champaran

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1. Saddam Hussain S/O Samsuddin Rai R/O Village - Bahadurpur, P.S-
Govindganj, District- East Champaran
 2. Saif Ali Hussain S/O Mofaliddin Rai R/O Village - Bahadurpur, P.S-
Govindganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-10-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Excise
Areraj P.S. Case No. 125 of 2025, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 42 liters
liquor was recovered from motorcycle and both the petitioners
were apprehended on spot.

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 the motorcycle does not belong to the petitioners. It is further submitted that the petitioners were passerby of that way and were apprehended on the basis of suspicion. The petitioners are in custody since 29.07.2025 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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 Areraj P.S. Case No. 125 of 2025.

(Rudra Prakash Mishra, J)

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