

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72685 of 2025

Arising Out of PS. Case No.-671 Year-2025 Thana- GAURICHAK District- Patna

1. Sanjay Rai S/o Ram Bachan Rai R/o Vill - Bhagwanpur (Devarsaukhi), P.S.- Pachrukhiya, Distt.- Patna
2. Satyendra Kumar S/o Late Arjun Chaudhary Resident of village- Kuda Nawada, P.S.- Parsa Bazar, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Rai, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Gaurichak P.S. Case No. 671 of 2025 registered for the alleged offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, secret information was received about transportation of illicit liquor in a tempo. On seeing the police party, the driver of the tempo tried to escape but was apprehended and he is the petitioner no. 1. On search of the tempo, recovery of 150 liters of country made *mahua* liquor was made. On further tip off, petitioner no. 2 was apprehended



carrying 35 liters of country made liquor in his backpack and riding a motorcycle.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The petitioners have no concern with the seized vehicles and they are neither the owner nor the driver of the alleged vehicles. Learned counsel further submits that the fact of the case is that the petitioner no. 1 runs a vegetable shop and the petitioner no. 2 had been inquiring about the rates of the vegetables and the miscreant who had been coming on the motorcycle fled away leaving behind his motorcycle as soon as he saw the police approaching the vegetables shop. The petitioners have no concern with the seized liquor and it does not belong to them. The petitioners were compelled to give self inculpatory statements. The petitioners are in custody since 28.09.2025. The petitioner no. 2 is having clean antecedent whereas petitioner no. 1 has got one criminal antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioners.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioners, the petitioners above named



are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge, Patna City, Patna in connection with Guarichak P.S. Case No. 671 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and 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 court below.
- (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)

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