

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78334 of 2025

Arising Out of PS. Case No.-163 Year-2025 Thana- EXCISE KATORIYA District- Banka

1. Yashwant Kumar Son of Amar Singh Rathour R/o Village - Arariya, P.S. - Parbatta, Dist.- Khagaria.
2. Aman Kumar Son of Rambriksha Yadav R/o Village - Itrarhi, P.S. - Gogri, Dist.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Raj, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Katoriya Excise P.S. Case No. 163 of 2025, instituted for the offences punishable under Sections 30(a) & 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 63.180 liters liquor was recovered from Tata Sumo Gold vehicle.

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 further submitted that the petitioners are driver and passenger of the vehicle and they have no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 09.09.2025. Petitioners have got one criminal antecedent each. 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 Katoriya Excise P.S. Case No. 163 of 2025.

(Rudra Prakash Mishra, J)

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