

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74869 of 2025

Arising Out of PS. Case No.-493 Year-2025 Thana- BYPASS District- Patna

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1. Mukesh Kumar S/o Ganaur Rai R/o Village- Sukumarpur, P.S.- Raghapur, District- Vaishali
 2. Deepak Kumar S/o Sanjay Rai R/o Village- Mahnar ward No. 08, P.S.- Mahnar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 03-11-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Bypass P.S. Case No. 493 of 2025, instituted for the offences punishable under Section 317(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 160 liters liquor was recovered from two scooty 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 also submits that the petitioners are not the owner of the scooty in question. The petitioners are in custody since 04.10.2025 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 Bypass P.S. Case No. 493 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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