

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77881 of 2025

Arising Out of PS. Case No.-882 Year-2025 Thana- Excise P.S. District- Aurangabad

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1. Girja Yadav S/O Sri Rajeshwar Yadav R/O Sahachak, P.S- Sigori, Dist- Patna
 2. Manish Kumar S/O Tunnu Paswan @ Tunu Paswan R/O Village - Jarakha, P.S- Sigori, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudhir Kumar S/O Suresh Yadav A.S.I, Resident of presently posted at Excise Police Station, Aurangabad, Dist- Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar, Advocate
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise Aurangabad P.S. Case No. 882 of 2025, instituted for the offences punishable under Sections 30(a), 30(c), 30(d) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 210 liters of spirit recovered from the Truck.

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. The petitioner No.1 is driver and petitioner No.2 is Khalasi of the vehicle and they have no knowledge about goods loaded on the truck. The petitioners are in custody since 23.08.2025 and have got no criminal antecedent. 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 Excise Aurangabad P.S. Case No. 882 of 2025.

(Rudra Prakash Mishra, J)

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