

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77762 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- Roshna District- Katihar

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1. Monu Kumar S/o Manoj Ray R/o - Dadpur Chaknor, P.S - Muffasil, District - Samastipur
 2. Nirbhay Kumar Yadav @ Nirbhay Kumar S/o Ramswarth Ray R/o - Dadpur Chaknor, P.S - Muffasil, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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 Roshna P.S. Case No. 101 of 2025, instituted for the offences punishable under Sections 30(a), 41, 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 231.33 liters of foreign liquor was recovered from Car and both the petitioners were arrested 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. It is submitted that petitioner no.1 is driver of the seized vehicle and petitioner no.2 is sitting as a passenger in the seized vehicle and they have no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 22.09.2025 and have got clean 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, clean antecedent of the petitioners 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 bailon 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 Roshna P.S. Case No. 101 of 2025.

(Rudra Prakash Mishra, J)

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