

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76450 of 2025

Arising Out of PS. Case No.-1145 Year-2025 Thana- Excise P.S. District- Gaya

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1. Nitish Yadav @ Nitish Kumar S/O Kuldeep Yadav R/O Village- Padari Kala, P.S- Hantarganj, Dist.- Chatra (Jharkhand).
 2. Ramkeshwar Bhuiyan S/O Daresh Bhuiyan R/O Village- Padari Kala, P.S- Hantarganj, Dist.- Chatra (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Adv
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 11-11-2025 Heard Ms. Mukul Kumari, learned counsel for the
petitioners and Ms. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in connection with Excise P.S. Case No. 1145 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 102.500 liters of foreign liquor was recovered from Tempo and 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. Learned counsel for the petitioners submitted that petitioner no. 1 is driver 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 04.10.2025 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 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 P.S. Case No. 1145 of 2025.

(Rudra Prakash Mishra, J)

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