

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78135 of 2025

Arising Out of PS. Case No.-1148 Year-2025 Thana- Excise P.S. District- Muzaffarpur

1. Munna Kumar S/O Somari Baitha R/O Hathauri Chowk, Police Station-
Hathauri, District- Muzaffarpur
2. Vikash Kumar S/O Parshuram Sah R/O Vill.- Vishambharpatti, Police
Station- Hathauri, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Adv

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

**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 Utpad
Thana P.S. Case No. 1148 of 2025, instituted for the offences
punishable under Section 30(a), 32(3), 34 of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 344.140 liters
of foreign liquor out of which 341.89 litres recovered from scrap
shop and 2.250 litres recovered from motorcycle. 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. Learned counsel for the petitioners submitted that the name of the petitioners have transpired only on the basis of suspicion. It has further been submitted that petitioners are not owner of the alleged scrap shop. The petitioners are in custody since 03.09.2025. Petitioner no.1 has got one criminal antecedent and petitioner no. 02 has 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 Utpad Thana P.S. Case No. 1148 of 2025.

(Rudra Prakash Mishra, J)

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