

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79028 of 2025

Arising Out of PS. Case No.-617 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Prince Kumar S/o- Madan Rai R/O- Sharma Ward No.4, P.S- Mahua, District- Vaishali
2. Ashif Raja S/o- Mohammad Jaki R/v- Daulatpur W.No-2, Ps- Kajipur Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-11-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Bhabhua Excise P.S. case No. 617 of 2025 instituted for the offences under Sections 30(a), 32(i) & (iii), 41(i) & (ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 97.110 liters liquor was recovered from car and 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 further submitted that the petitioners were not the owner of the vehicle in question and they had no knowledge regarding the nature of goods kept in vehicle. The petitioners are in custody since 30.09.2025 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. 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 bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhabhua Excise P.S. case No. 617 of 2025.

(Rudra Prakash Mishra, J)

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