

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81326 of 2025

Arising Out of PS. Case No.-363 Year-2025 Thana- MAIRWAN District- Siwan

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1. Ajay @ Ajay Kumar Son of Khemchand @ Khemchandra Resident of village - Hasangadh, P.S.- Shapla, Distt.- Rohtak, Hariyana.
 2. Sanju @ Soniya Wife of Late Amar Resident of village - Chungi, P.S.- Sadar, Distt.- Sonipat, Hariyana.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Anupam, Advocate

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Mairwa P.S. case No.
363 of 2025 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 186 liters
liquor was recovered from an Ambulance 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 are not the owner of the seized vehicle. The petitioners had taken lift in the vehicle and had no knowledge regarding the nature of goods kept in vehicle. The petitioners are in custody since 31.08.2025 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 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 Mairwa P.S. case No. 363 of 2025.

(Rudra Prakash Mishra, J)

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