

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81070 of 2025

Arising Out of PS. Case No.-241 Year-2025 Thana- Excise P.S. District- Saran

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1. Pappu Kumar Son of Bechan Singh R/o Vill. - Hasanpur, P.S - Patori, Dist. - Samastipur.
 2. Shivam Kumar Son of Arun Rai R/o Vill. - Hasanpur, P.S - Patori, Dist. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. Arun Kumar, 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 connection with Saran-Sadar Excise P.S. Case No. 241 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 39.780 liters liquor was recovered from two bags which were carried by the petitioners.

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 also submits that the petitioners have got no concern with the recovered bags. It is further submitted that the petitioners have been arrested only on the basis of suspicion. The petitioners are in custody since 20.09.2025 and have got one criminal antecedent in which they are on bail. 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 Saran-Sadar Excise P.S. Case No. 241 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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