

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81193 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- Ramdas Rai Ka Dera District- Buxar

1. Bhola Yadav @ Sanjit Kumar Son of Late Shatrudhan Ray R/o - Simalichak, Nurigali, Bijali Office ke pass, P.S. - Malsalami, Dist. - Patna, Bihar.
2. Aakash Kumar Singh Son of Pachu Chaudhari R/o Didarganj, P.O. - Machuwa Toli, P.S. - Didarganj, Dist. - Patna, Bihar.
3. Hariom Kumar Sharma Son of Vishwanath Sharma R/o Ghamrahi Ghat, Devi Sthan ke pass, P.S. - Malsalami, Dist. - Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Rai, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, 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 Ram Das Rai Ka Dera P.S. Case No. 39 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 1148.04 liters liquor was recovered from two pick-up vehicles and the petitioners were apprehended 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 also submits that the petitioners are not owner of the vehicles in question rather they were driver and helper of those vehicles and they have got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioners are in custody since 27.09.2025. Petitioner no. 1 has got one criminal antecedent and petitioner nos 2 and 3 have got no criminal 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 Das Rai Ka Dera P.S. Case No. 39 of 2025, subject to the following conditions:

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



the family of the petitioners.

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

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