

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81510 of 2025

Arising Out of PS. Case No.-569 Year-2025 Thana- Excise P.S. District- Siwan

1. Tarkeshwar Kumar Son of Jeevan Ray R/o Village - Harna, P.S. - Dariyapur, District - Saran.
2. Ravindra Kumar Son of Sarva Ray @ Srwa Ray R/o Village - Harna, P.S. - Dariyapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Kumar, Adv

For the Opposite Party/s : Mr. Md. Matloob Rab, 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 Excise P.S. Siwan Sadar Case No. 569 of 2025, instituted for the offences punishable under Sections 30 (a) & 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 165.900 liters foreign liquor was recovered from Mahindra Marazzo bearing Registration No. BR 21 P4549. Petitioner was 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 petitioner submits that petitioner no.1 is driver and petitioner no.2 is co-driver of the seized vehicle and he no regarding the nature of goods kept in the vehicle. The petitioners are in custody since 13.09.2025 and have 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 Excise P.S. Siwan Sadar Case No. 569 of 2025.

(Rudra Prakash Mishra, J)

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