

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83126 of 2025**

Arising Out of PS. Case No.-1897 Year-2025 Thana- Excise P.S. District- Patna

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1. Baiju Kumar son of Surendra Mahto Village -Chhotipahadi PS -Agamkuan Distt -Patna
  2. Roushan Kumar @ Raushan Kumar son of Late Nanda Das Village - Naya tola Sharifganj Ps- Malsalami, Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

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

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

ORAL ORDER

2      04-12-2025                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise PS Patna Case No. 1897 of 2025 instituted for the offences punishable under Sections 30(a), 56(b), 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 120 litres of liquor was recovered from tempo.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted



that petitioners are not the owner of the vehicle. It is further submitted that petitioner no.1 is the helper of the vehicle in question whereas petitioner no.2 is the driver and both the petitioners have got no concern with the loaded articles/liquor. The petitioners are in custody since 30.09.2025 and have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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 PS Patna Case No. 1897 of 2025.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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