

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83359 of 2025

Arising Out of PS. Case No.-1245 Year-2025 Thana- Excise P.S. District- Gaya

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1. Sanjay Kumar S/o Late Daroga Chaudhary @ Late Darogi Chaudhary
Resident of Village- Shekhbara, P.S.- Magadh University, District- Gaya
 2. Rakesh Kumar S/o Late Chandar Chaudhary Resident of Village- Manpur
Gandhi Nagar, P.S.- Muffasil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Pronoti Singh, APP

**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
P.S. Case No. 1245 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 total 189
liters of foreign liquor was recovered from Auto. 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. Learned counsel for the petitioners submits that petitioner no.1 is driver and petitioner no.2 was sitting as a passenger and they have no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 21.10.2025 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. Case No. 1245 of 2025.

(Rudra Prakash Mishra, J)

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