

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84735 of 2025

Arising Out of PS. Case No.-1015 Year-2025 Thana- Excise P.S. District- Aurangabad

1. Sanjeet Kumar @ Lucky S/o Dwarika Prasad R/o Village - Bhuapur, P.S - Jamhore, District - Aurangabad
2. Mukesh Kumar S/o Bharat Singh R/o Village - Bharwar, P.S - Mufasil, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, 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 PS Case No. 1015 of 2025 instituted for the offences under Sections 30(a), 32(3), 41(1) & 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 320 liters spirit was recovered from car.

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. Petitioners are neither the owner nor the driver of the vehicle in question. It is submitted that they took lift from the vehicle, but they were unaware of the fact that illicit spirit was loaded in the vehicle. The petitioners are in custody since 29.08.2025 and petitioner No.1 has got one criminal antecedent/s, whereas petitioner No.2 has got two criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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/- (Fifteen thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Case No. 1015 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)

Raj Kishore/-

U		T	
---	--	---	--

