

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83510 of 2025

Arising Out of PS. Case No.-417 Year-2025 Thana- RAJAON District- Banka

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1. Kanhaiya Kumar S/O Late Ramvilas Singh Vill.- Nayagaon, P.S-
Nayagaon,Distt.- Begusarai
 2. Piyush Kumar S/O Pawan Singh R/O Vill.- Nayagaon, P.S- Nayagaon,Distt.-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, 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 Rajoun
(Nawada OP) P.S. Case No. 417 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 104.76 liters
liquor was recovered from car and both the 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. It is further submitted that the petitioners are driver and co-driver of the seized vehicle and they have got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioners are in custody since 13.11.2025. Petitioner no. 1 has got one criminal antecedent and petitioner no. 2 has 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 Rajoun (Nawada OP) P.S. Case No. 417 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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