

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83579 of 2025

Arising Out of PS. Case No.-840 Year-2025 Thana- Excise P.S. District- Nawada

1. Mukesh Ray S/o Meghan Ray R/o Village -Samaydih, P.S - Satgawan,
District - Kodarma
2. Subodh Kumar S/o Janak Prasad Yadav R/o Village - Barawa, P.S - Rajauli,
District - Nawada
3. Karu Kumar S/o Balchand Yadav R/o Village - Barawa, P.S - Rajauli,
District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate
For the Opposite Party/s : Mrs. Asha Devi, 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. 840 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 270 liters
liquor was recovered from three motorcycles and all the
petitioners were apprehended 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 also submits that petitioner no. 1 is owner of one of the motorcycles in question and the petitioner nos. 2 and 3 have got no concern with the other two motorcycles. It is further submitted that the petitioners have been arrested only on the basis of suspicion. The petitioners are in custody since 20.10.2025. Petitioner nos. 1 and 2 have got no criminal antecedent whereas petitioner no. 3 has got two criminal antecedents in which he is on bail. 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 petitioner no. 1 be released on bail *after framing of charge, if not already framed* as also petitioner nos. 2 and 3 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. 840 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners 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 petitioners.

(Rudra Prakash Mishra, J)

Rajorshi/-

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