

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88258 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- Excise Mashrakh District- Saran

1. Sikandar Paswan S/o Nagina Paswan R/o Village- Hathori Khurd, Ward No.17, P.S.- Hayaghat, District- Darbhanga
2. Sandip Kumar Bhandary @ Sandip Kr. Bha S/o Suresh Bhandari R/o Village- Dhobopur Bansara, Ward No.17, P.S.- Hayaghat, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

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

ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Mashrakh Excise P.S. Case No. 95 of 2024 instituted for the
offences punishable under Sections 30(a) and 32(3) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 89.856
litres of liquor has been recovered from car.

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 only the driver of the vehicle in question whereas petitioner no.2 is the co-driver and both the petitioners have got no knowledge regarding the loaded articles/liquor. The petitioners are in custody since 29.11.2024 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. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mashrakh Excise P.S. Case No. 95 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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