

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4240 of 2025**

Arising Out of PS. Case No.-218 Year-2024 Thana- DHANAHA District- West Champaran

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1. Mohan Kumar Son of Dinesh Singh @ Dineshwar Singh R/o - Kanchanpur, P.S - Bidupur, District - Vaishali
2. Anirudh Kumar Son of Rajvind Singh @ Rajbinda Singh R/o - Village- Rahimpur Gadh, P.S - Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr.Mohammad Sufyan

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

ORAL ORDER

3      20-02-2025                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Dhanha P.S. Case No. 218 of 2024 instituted for the offences punishable under Sections 318(4), 317(5) of the BNS and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 99.360 litres of liquor was 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. 2 is the driver of the vehicle in question whereas petitioner no.1 is the co-driver and both the petitioners had no knowledge regarding the goods/liquor loaded in the vehicle. The petitioners are in custody since 16.10.2024. Petitioner no. 1 has no criminal antecedent whereas petitioner no.2 has one 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 Dhanha P.S. Case No. 218 of 2024.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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