

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87186 of 2025

Arising Out of PS. Case No.-1188 Year-2025 Thana- Excise P.S. District- Aurangabad

1. Santosh Kumar Son of Suresh Chaudhary Resident of village - Keshopur, P.S.- Barun, District - Aurangabad, Bihar.
2. Sudarsan Kumar Son of Late Dharmendra Chaudhry Resident of village - Keshopur, P.S.- Barun, District - Aurangabad, Bihar.
3. Raju Kumar @ Mrityunjay Kumar Son of Nathuni Chaudhary Resident of village - Hamidnagar, P.S.- Uphara, District - Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Excise Sadar P.S. Case No. 1188 of 2025 instituted for the offences punishable under Sections 30(a), 30(c), 32(3), 41(1), 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 30 litres of liquor has been recovered from the plastic gallon near Diyara area. It is further alleged that 1200 litres *jawa mahua* was destroyed on the spot.

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 rather the recovery has been made from an open place which is accessible to public at large. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 27.10.2025 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. 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 Sadar P.S. Case No. 1188 of 2025.

(Rudra Prakash Mishra, J)

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