

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.786 of 2025

Arising Out of PS. Case No.-320 Year-2024 Thana- KOCHAS District- Rohtas

1. Rajesh Kumar S/O Shri Vishun Dev Sah @ Visnudev Sahu @ Vishundev Sah Resident of village- Malipur, P.S.- Karpura, District-Begusarai, at present- Loba Kalan, P.S.- Bahadurgarh, District- Jhajjar (Haryana),
2. Lalit Tirki Son of Late Petrus Tirki Resident of village- Rohini Jabbarhat (Rohini Jabbaar), P.S.- Darjeeling (Gadidhura), District- Darjeeling (West Bengal).
3. Laxmi Tirki @ Lakshami Tirki wife of Lalit Tirki Resident of village- Rohini Jabbarhat (Rohini Jabbaar), P.S.- Darjeeling (Gadidhura), District- Darjeeling (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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

ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Kochas
PS Case No. 320 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 336.960 liters
foreign liquor was recovered from car.

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. Petitioner No.1 is the driver of the car and he was oblivious of the fact that illicit liquor was laden in the vehicle, whereas, petitioner Nos. 2 and 3 are husband and wife, who are passenger of the car. Petitioners are not the owner of the car in question. The petitioners are in custody since 27-10-2024 and have got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. 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, clean antecedent of the petitioners 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 Kochas PS Case No. 320 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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