

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2577 of 2025

Arising Out of PS. Case No.-288 Year-2024 Thana- Excise P.S. District- Supaul

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1. Bablu Kumar Ray S/o- Shivchandra Ray Resident of Village-Raghopur, Ward No 01 PS- Judawanpur District-Vaishali
 2. Sachin Kumar S/o- Manoj Ray Resident of Village-Raghopur, Ward No 01 PS- Judawanpur District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Pandey, Adv
	:	Mr. Ram Ranjan Kumar, Adv
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 13-05-2025 Heard learned Counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Excise P.S. Case No. 288 of 2024 registered for the offences punishable u/s 30(a) of the Excise Act.

3. As per the prosecution case, total 750 litres of cough syrup containing codeine was recovered from the pick-up van.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that Bablu Kumar



Ray (petitioner no. 1) is the driver and Sachin Kumar (petitioner no. 2) is the Khalashi of the said seized pick-up van. It is next submitted that the petitioners have no concern with the said recovered cough syrup. It is further submitted that similarly situated co-accused person, namely, Prabhas Kumar, has already been granted bail by a co-ordinate Bench of this Court vide order dated 17.02.2025 passed in Cr. Misc. No. 85224 of 2024. It is lastly submitted that the petitioners have clean criminal antecedent and are in custody since 03.11.2024.

5. Learned APP for the state has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid submissions of the parties and taking into account the fact that the petitioners are driver and khalasi respectively of the said commercial vehicle and also taking into account the fact that similarly situated co-accused person, namely, Prabhas Kumar, has already been granted bail by a co-ordinate Bench of this Court coupled with the fact that the petitioners are in custody since 03.11.2024, let the petitioners above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul, in connection with Excise P.S.



Case No. 288 of 2024.

7. The Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. The application stands allowed.

(Sourendra Pandey, J)

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