

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.90294 of 2024**

Arising Out of PS. Case No.-178 Year-2024 Thana- EXCISE KATORIYA District- Banka

1. Chhotu Kumar @ Chhotu Verma Son of Rameshwar Verma Resident of Village - Khemtarani Asthan, P.S. - Surajgadha, District - Lakhisarai
2. Abhishek Kumar Son of Vijay Sharma Resident of Village - Punjabi Mohalla, Ward No. 17, P.S. - Phavaiya, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar, Advocate  
For the Opposite Party/s : Ms.Asha Kumari, 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 Katoria Excise P.S. case No. 178 of 2024 instituted for the offences under Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 548.805 liters liquor was recovered from Tata pick up van.

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. It is



further submitted that petitioner No. 1 is the driver and petitioner No. 2 is cleaner of the vehicle in question and they have no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 02.12.2024 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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 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 Katoria Excise P.S. case No. 178 of 2024.

**(Rudra Prakash Mishra, J)**

Pankaj/-

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