

Arising Out of PS. Case No.-574 Year-2025 Thana- BANIAPUR District- Saran

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1. Golu Kumar Son of Anil Mahto Resident of village - Surraudha, P.S.- Baniyapur, District - Saran at Chhapra
2. Chhotu Kumar Son of Laldeo Rai @ Raldev Ray Resident of village - Surraudha, P.S.- Baniyapur, District - Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rananjay Kumar, Advocate
Mr. Sumit Kumar, Advocate
Mrs. Chhateshwari Kumari, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 12-02-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Baniyapur P.S. Case No. 574 of 2025, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 72.360 liters liquor was recovered from motorcycle and both the petitioners were arrested on spot.

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. Learned counsel for the petitioners also submitted that the petitioners are not the owner of the motorcycle in question rather they were passerby of that way and were arrested only on the basis of suspicion. The petitioners are in custody since 24.12.2025 and have got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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 Baniyapur P.S. Case No. 574 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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