

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2251 of 2025

Arising Out of PS. Case No.-987 Year-2024 Thana- GAYA MUFASIL District- Gaya

1. Tarkeshwar Singh, aged about 47 years (Male), S/O Ramvilas Singh @ Ramvilash Singh, R/O village- Naduva, P.S.- Bhagwanpur Haat, Dist.- Siwan
2. Rahul Kumar, aged about 24 years (Male), S/O Binay Ray @ Binay Kumar Ray @ Vinay Rai, R/O Vill.- Saidabad, P.S.- Raghapur, Dist.- Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Anil Kumar, Advocate
For the Opposite Party	:	Mrs. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-02-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Muffasil P.S. Case No. 987 of 2024 dated 10.11.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 39.375 litres of illicit foreign liquor is said to have been recovered from the car on which the petitioners were found sitting.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in the present case. No incriminating article has been recovered



from their possession. It is further submitted that on the alleged date and time of occurrence the petitioners were going to attend a marriage ceremony of their relative in Sohepur Village and in the morning of 11.11.2024 police party started checking the vehicle and the petitioners were standing there, thereafter, police apprehended the petitioners to make seizure list witnesses and when they denied the same then some hot talk took place between them and only to teach them a lesson police party implicated them in the present false case. The petitioners have no concern with the seized liquor. It has wrongly been mentioned in the F.I.R. that the petitioner no. 1 was driving the vehicle in question whereas he has no connection with the seized car in question. The petitioners are neither the owner nor the driver of the vehicle in question rather one Rakesh Kumar, Patna, is the owner of the seized car. The petitioner no. 1 has one criminal antecedent in which he is on bail and the petitioner no. 2 has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioners are in custody in this case since 11.11.2024.

5. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of



the case, let the above named petitioners, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Gaya in connection with Muffasil P.S. Case No. 987 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

