

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1763 of 2025

Arising Out of PS. Case No.-365 Year-2024 Thana- EXCISE MADHUBAN District- East
Champaran

-
1. Shiv Kumar @ Shiv Kumar Sah S/o Late Adalat Sah Resident of village-
Rampur Bhikhanpura, Ward No.- 02, P.S.- Sahebganj, District- Muzaffarpur
 2. Ghanshyam Kumar S/o Makeswarr Singh Resident of village- Vishunpur
Chak Pahar, Ward No.- 01, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Adv.

For the Opposite Party/s : Mr.Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Excise (Madhuban) P.S. Case No. 365 of 2024 dated 21.10.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 66 litres of illicit country made liquor was recovered from the sack kept on a motorcycle and dickey of the motorcycle.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. The name of the petitioners was transpired in this case merely on suspicion. The petitioner no. 1 is the owner and the petitioner no. 2 is the pillion rider of the said vehicle and they have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 22.10.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to 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 learned Court concerned, East Chamapran, Motihari in connection with Excise (Madhuban) P.S. Case No. 365 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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

