

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6638 of 2025

Arising Out of PS. Case No.-994 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Hemant Pandey Son of Ajay Kumar Pandey Resident of Village- Sidhuwapar, P.S.- Badhahalganj, Distt.- Gorakhpur, UP
2. Manish Jaiswal Son of Ashok Kumar Jaiswal Resident of Village- Dhorighat, P.s.- Dhorighat, Distt.- Mau, UP
3. Parwej Ahmad Son of Kalam Ansari Resident of Village- Chillupar, P.s.- Badhalhalganj, Distt.- Gorakhpur, UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aquaib Khan, Advocate
For the Opposite Party/s : Mohammed Arif, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Excise PS Case No. 994 of 2024 instituted for the offences under Sections 30(a), 32(i), 32(iii), 41(1) and 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 328.320 litres of foreign liquor was recovered from Car.

4. Learned counsel for the petitioners submit 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 submitted that petitioner no. 1 is the driver and petitioner no. 2 and 3 are the passengers of the vehicle and they have no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 30.12.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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, clean antecedent of the petitioners 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 Excise PS Case No. 994 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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