

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6125 of 2025**

Arising Out of PS. Case No.-475 Year-2024 Thana- KOILWAR District- Bhojpur

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1. Ashish Kumar Sharma @ Ashu S/o- Satyaprakash Sharma @ Satya Prakash Sharma Village - Civil Line, P.S.- City Kotwali (Kotwali Shahar), District - Bulandshahar, U.P
  2. Shivam Kumar @ Shyam Kumar S/o- Sanjay Singh @ Sanjay Moh- W.No-18, Durga Puram Durgapuran Pani Nagar Ps- City Kotwali Kotwali Shahar Dist- Bulandshahar U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Diwakar, Advocate  
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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

ORAL ORDER

3      12-05-2025                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Koilwar P.S. Case No. 475 of 2024, instituted for the offences punishable under Sections 318(4), 61(2) of the Bharatiya Nyaya Sanhita, 2023, read with Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 2871 liters liquor was recovered from truck and both the petitioners were apprehended on spot.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material have 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 submits that the petitioners are not the owner of the truck in question, rather they were driver and co-driver of the said vehicle and have got no knowledge regarding the nature of goods loaded in the vehicle. The petitioners are in custody since 12.12.2024 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. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Koilwar P.S. Case



No. 475 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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