

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9139 of 2025

Arising Out of PS. Case No.-427 Year-2024 Thana- AMAS District- Gaya

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1. Chotu Kumar @ Chhotu Kumar S/O Rampati Das @ Ramapati Das R/O Village- Purnadih, P.S- Amas, Dist.- Gaya
 2. Sujeet Kumar Chauhan S/O Late Ramavtar Chauhan R/O Village- Tetulmari, P.S- Tetulmari, Dist.- Dhanbad (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mohammed Arif, APP

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

ORAL ORDER

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

2. The petitioners seek bail in connection with Amas
PS Case No. 427 of 2024 instituted for the offences under
Sections 30(a) and 30(e) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 134.25
litres of foreign liquor and 3000 kg of Mahua flower was
recovered from Mahindra Bolero Pick-up.

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 driver and petitioner no. 2 is co-driver of the seized vehicle and they have no knowledge regarding the nature of goods booked by the transporter. The petitioners are in custody since 27.12.2024 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 Amas PS Case No. 427 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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