

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11040 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

1. Mashum Ali S/O Late Ajim Miya R/O Vill.- Kaurajuri, P.S.- Pratappur, Dist.- Chatra, Jharkhand.
2. Anil Kumar S/O Late Ramswarup Bharti @ Ramshvaroop Bharti R/O Vill.- Khaskaura, Kaura, P.S.- Pratappur, Dist.- Chatra, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Singh, Adv.

For the Opposite Party/s : Ms.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-03-2025 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 (Sherghati) P.S. Case No. 19 of 2025 dated 13.01.2025 registered for the offences punishable u/ss 30(a) and 32(c) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 72 litres of illicit English wine and 48 litres of illicit beer were recovered from the Mahindra Bolero vehicle.

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 petitioners are the driver and the co-driver of the said vehicle and they have no knowledge about the aforesaid seized liquor. 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 14.01.2025.

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, Gaya in connection with Excise (Sherghati) P.S. Case No. 19 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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