

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9099 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- Excise P.S. District- Gaya

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1. Om Prakash Kumar S/O Rajesh Singh @ Rajesh Ram R/O Vill.- Saidvidha, P.S.- Gurua, Dist.- Gaya.
 2. Bhola Chaudhary S/O Late Raj Kishore Chaudhary R/O Vill.- Deo, P.S.- Deo, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-03-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Excise P.S. Case No. 26 of 2025 dated 08.01.2025 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 105 litres of illicit spirit was recovered from the three gallons kept in the Bus.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no. 1 is



the driver and the petitioner no.2 is the co-driver of the seized vehicle. The petitioners have no concern with the alleged recovery. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 09.01.2025.

5. Learned A.P.P. for the State has vehemently 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) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Excise P.S. Case No. 26 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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