

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17132 of 2025**

Arising Out of PS. Case No.-210 Year-2024 Thana- GORADIH District- Bhagalpur

1. Shatrudhan Paswan, aged about 25 years (M), Son of Dashrath Paswan, Resident of Village- Amababag Aliganj, Ward No 43, PS- Babarganj, Distt.- Bhagalpur.
2. Nitish Kumar, aged about 28 years (M), Son of Jhakshu Paswan @ Jhakshu Choudhary, Resident of Village- Amababag Aliganj, Ward No 43, PS- Babarganj, Distt.- Bhagalpur.
3. Ranjeet Kumar Choudhary, aged about 28 years (M), Son of Kailesh Choudhary, Resident of Village- Amababag Aliganj, Ward No 43, PS- Babarganj, Distt.- Bhagalpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioners : Mr. Rajive Ranjan Singh, Advocate  
For the Opposite Party : Mr. Uday Chand Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

2      03-04-2025                      Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Goradih P.S. Case No. 210 of 2024 dated 31.12.2024 registered for the offences punishable under Sections 30(a), 41(1)(II) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 118.870 litres of foreign liquor was recovered from two Tempos.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in the present case. It is further submitted that the petitioner no. 1 was driving the Carrier Tempo of Mahindra Company and the petitioner no. 3 was sitting as a passenger on the said Tempo from which total 84.25 foreign illegal liquor was recovered and they had no knowledge that the illegal liquor was kept in the said Tempo and the petitioner no. 2 is the brother of the co-accused Pankaj Kumar who was driving the Piyaju Passenger Tempo from which total 34.620 litres of foreign liquor was recovered and the name of the petitioner no. 2 has surfaced in the present case as he was driving the motorcycle ahead the aforesaid two Tempos in question. It is further submitted that the vehicles in question does not belong to the petitioners. They have no concern with the alleged offence. There is no statutory compliance of Sections 48, 105 and 100(8) of B.N.S.S. No incriminating article has been recovered from their possession. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application. The petitioners are in custody in this case since 01.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named



petitioners, 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 the learned Exclusive Special Excise Judge-II, Bhagalpur in connection with Goradih P.S. Case No. 210 of 2024.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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