

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14150 of 2025

Arising Out of PS. Case No.-449 Year-2024 Thana- BIBHUTIPUR District- Samastipur

1. Mahesh Kumar, (Male), aged about 25 years, S/O Visheshwar Das @ Bisheshwar Das, R/O Vill.- Badkurba, Ward No.11, Police Station- Kalyanpur, District- Samastipur
2. Chhotu Kumar, (Male), aged about 26 years, S/O Vimal Das, R/O Vill.- Badkurba, Ward No.11, Police Station- Kalyanpur, District- Samastipur
3. Dilip Das, (Male), aged about 30 years, S/O Rebat Das, R/O Vill.- Badkurba, Ward No.11, Police Station- Kalyanpur, District- Samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Anant Kumar Mishra, Advocate
For the Opposite Party : Mrs. Indu Kumari Srivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Bibhutipur P.S. Case No. 449 of 2024 dated 27.12.2024 registered for the offences punishable under Sections 274, 275 of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 441.360 litres of foreign liquor kept in 50 cartoons was recovered from the field of Subansh Rai.

4. Learned counsel for the petitioners has submitted that



the petitioners are innocent and have falsely been implicated in the present case. No incriminating article has been recovered from their possession. The alleged recovery of illegal liquor was recovered from the garbage dumping ditch where the petitioners were present. The petitioners are poor labourers and they earn their livelihood by working in the agricultural field. They have no concern with the alleged offence. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application. The petitioners are in custody in this case since 28.12.2024.

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 Judge (Excise)-Ist, Samastipur in connection with Bibhutipur P.S. Case No. 449 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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