

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13971 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- DURGAWATI District- Kaimur (Bhabua)

1. VISHU KUMAR S/O RAM PRAVESH SINGH Resident of Village- Ganiyari Police Station- Sakra, Bariyarpur O.P., and District- Muzaffarpur Bihar
2. GOLU KUMAR S/O MAHENDRA MAHTO R/O Vill.- Belawan Chowk, P.S.- Bela and Dist.- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-03-2025 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 Durgawati P.S. Case No. 21 of 2025 dated 21.01.2025 registered for the offences punishable u/ss 319(2), 318(4), 338, 336(3) read with Section 3(5) of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, total 6814.08 litres of illicit foreign liquor was recovered from the truck and also a mobile phone and cash of Rs. 11760/- was recovered from the



petitioner no.1 (Vishu Kumar).

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 petitioners have no concern with the alleged recovery. The petitioner no.1 is the driver and petitioner no.2 is the cleaner of the said vehicle. The petitioner no.1 has five criminal antecedents and the petitioner no.2 has three criminal antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 22.01.2025.

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) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabhua in connection with Durgawati P.S. Case No. 21 of 2025, with the condition:-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bonds of the petitioners is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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