

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16643 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Gulab Khan S/o- Late Mukim Khan Resident of Village- Faislabad Noor Masjid PS-Kotwali Nagar Upar Court Dist- Bulandshar U.P
2. Md. Faisal Ali Khan S/o- Late Haidar Ali Khan R/o- 4/9, Kashi Ram Awas Yojna Devghat Jhalwa Ps- Dhumanganj Chauki Pipal Gaon Dist- Phulpur U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr.Pronoti Singh

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 have preferred this application for grant of regular bail in connection with Excise P.S. Case No. 38 of 2025 dated 14.01.2025 registered for the offences punishable u/ss 30(a), 32(1)(3), 41(1) & (2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 229.905 litres of illicit foreign liquor was recovered from the Car.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioner no.1 is the driver and the petitioner no.2 is



the co-passenger of the seized vehicle. Nothing has been recovered from the conscious possession of the petitioners. 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 15.01.2025.

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, Kaimur at Bhabhua in connection with Excise P.S. Case No. 38 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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