

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24758 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- MALAHI District- East Champaran

1. Rajesh Kumar, aged about 29 years, Male, S/O Jagdeo Ram, R/O Village-Chatia, P.S.- Malahi, District- East Champaran.
2. Mantoo Ram, aged about 28 years, Male, S/O Anil Ram, R/O Village-Laukariya, P.S- Bairiya, Distt.- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Binay Kant Mani Tripathi, Advocate
For the Opposite Party	:	Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Malahi P.S. Case No. 26 of 2025 dated 19.01.2025 registered for the offences punishable under Sections 30(a), 37 and 45 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, 7.200 litres of illicit foreign liquor was recovered from the motorcycle of the petitioners and 8.640 litres of illicit foreign liquor kept in a plastic sack was recovered from the co-accused Chandev Kumar



which was thrown by him.

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 petitioners are neither the owner of the seized motorcycle nor they have any concern with the seized illegal liquor. The petitioners were coming from Chatiya-Diyar and in the meantime, police arrested them merely on suspicion and two persons riding on the seized motorcycle fled away from the place of occurrence. The other co-accused person Chandev Kumar has already been granted bail by a Bench of this Court in Cr. Misc. No. 19512 of 2025 vide order dated 15.04.2025. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application. The petitioners are in custody in this case since 21.01.2025.

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 Court-1, East Champaran, Motihari in
connection with Malahi P.S. Case No. 26 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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