

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26403 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

1. Anil Paswan S/o Late Lakhan Paswan R/o Village- Simrehat, P.S.-
Roughanganj, District- Gaya
2. Karu Rikiyasan S/o Late Husaini Rikiysan R/o Village- Simrehat, P.S.-
Roughanganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Excise
Thana, Sherghati Excise Case No. 43 of 2025 instituted for the
offences punishable under Sections 30(a), 32(c) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 65 litres
of liquor was recovered from motorcycle.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.
No incriminating article has been recovered from the conscious
possession of the petitioners. Learned counsel further submitted



that petitioners are not the owner of the vehicle in question. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 11.02.2022 and have no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Thana, Sherghati Excise Case No. 43 of 2025.

(Rudra Prakash Mishra, J)

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