

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25464 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

1. Naresh Kumar Paswan S/O Late Maheshi Paswan Resident of Village- Haridaspur, P.S.- Amas, District- Gaya (Bihar),
2. Chandan Yadav S/O Mahesh Yadav R/O Village- Jhaur, P.S- Sherghati, Distt.- Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Excise (Sherghatti) P.S. Case No. 88/2025 dated 12.03.2025 registered for the offence punishable u/s 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 220 litres of illicit country-made liquor was recovered from the motorcycle of the petitioners. Thereafter, the petitioner no. 1 was tested from Breath Analyzer Test, 20mg/100ml alcohol was found and the petitioner no. 2 was tested from Breath Analyzer Test,



96mg/100ml alcohol was found.

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 possession of the petitioners. As per para. 8 of the bail petition, the said motorcycles does not belong to the petitioners. The petitioner no. 1 has one antecedent and the petitioner no. 2 has clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 12.03.2025.

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, Gaya, in connection with Excise (Sherghatti) P.S. Case No. 88/2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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