

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24591 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

1. Mobin Ansari Son of Munir Ahmad Resident of village - Jangal Khirkiya, P.S.- Padrauna Kotwali, Distt.- Kushi Nagar (Uttar Pradesh).
2. Sahjeb Khan @ Shahjeb Khan Son of Gulabkhar Khan Resident of village - Jangal Shekhpoliya, P.S.- Padrauna Kotwali, Distt.- Kushi Nagar (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewanand Tiwari, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Kuchaikote P.S. case No. 79 of 2025 instituted for the offences under Section 317(5) of Bharatiya Nyaya Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 609.840 liters liquor was recovered from the car and the petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners



have got no concern with the alleged recovery of liquor. It is further submitted that the vehicle in question does not belong to the petitioners. The petitioners were driver and co-driver of the vehicle and they have no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 28.02.2025 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. 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 antecedents 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 Kuchaikote P.S. case No. 79 of 2025.

(Rudra Prakash Mishra, J)

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