

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28729 of 2025

Arising Out of PS. Case No.-61 Year-2025 Thana- BHORE District- Gopalganj

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1. Vinay Kumar S/O Late Laxman Das R/O Village- Rasulpur, Juneda, P.S- Motipur, Distt.- Muzaffarpur.
 2. Vishal Tanti S/O Shankar Tanti R/O Village- Boka Khata, P.S- Boka Khata, Distt.- Golahat (Assam).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 28-05-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in a case registered
for the offences punishable under Section 30 (a) and 41 of
the Bihar Prohibition Excise (Amendment) Act, 2022.

3. Perusal of the first information report and
the seizure list would go to show that total 2502 liters of
foreign liquor is said to have been recovered from the *Dala*
(secret chamber) of the truck and the petitioners, who are
the driver and co-driver, were apprehended on the spot.

4. It is submitted by learned counsel for the
petitioners that as a matter of fact there is no recovery from



the physical or conscious possession of the petitioners. The petitioners are not the owner of the said truck. The loaded truck was handed over to them by their owner to ply it without giving the knowledge about the contents loaded thereon. They are the employees of a Transport Company and the seized liquor belongs to one co-accused, Imran Khan. It is also pointed out that the charge-sheet has been submitted in this case. The petitioners have no criminal antecedent and have been languishing in custody since 24.02.2025.

5. Learned APP for the State opposed the bail petition.

6. Taking into consideration the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bhore P.S. Case No.61 of 2025, subject to the conditions that :

(i) The petitioners shall remain physically present in court on each and every date during trial till the



framing of charge and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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