

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25879 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- GOPALPUR District- Gopalganj

1. Monu Kumar Son of Rajendra Prasad Resident of village - Sakhopur, P.S.- Kasya, Distt.- Kushi Nagar, Uttar Pradesh.
2. Sakina Khatun @ Sakina Khatoon Daughter of Manjur Alam Resident of village - Bhugali @ Jhugawa, P.S.- Kasya, 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.Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Gopalpur P.S. case No. 33 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 13.320 liters liquor was recovered from motorcycle and 259.2 liters foreign liquor was recovered from Scorpio vehicle 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 petitioners had taken lift in the vehicle and they were not aware of the said liquor inside the vehicle. The motorcycle in question does not belong to the petitioners. The petitioners are in custody since 02.02.2025 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 Gopalpur P.S. case No. 33 of 2025.

(Rudra Prakash Mishra, J)

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