

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27009 of 2025

Arising Out of PS. Case No.-898 Year-2024 Thana- Excise P.S. District- Gopalganj

1. Mukesh Kumar Son of Omprakash Bhar @ Rajbhar village -Balathari, Ward No 06, PS- Kuchaikote, Dist -Gopalganj, Bihar
2. Sunny Kumar @ Sanny Kumar @ Sani Kumar son of Nawalkishor Bhar @ Rajbhar village- Paharpur Chhangur, Ps- Kuchaikote, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Danish Quamar, Advocate Mr. Sumit Shekhar Pandey, Advocate
For the Opposite Party/s	:	Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Gopalganj PS Case No. 898 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 63 liters country made liquor was recovered from motorcycle.

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



submitted petitioners were arrested on the spot and allegedly, petitioner No.1 was driving while petitioner No.2 was sitting as pillion on the motorcycle in question. It is next submitted that motorcycle in question is registered in the name of co-accused. The petitioners are in custody since 30-11-2024. Petitioner No.1 bears one criminal antecedent, whereas, petitioner No.2 is a man of clean antecedent. There is no compliance of Section 103 of the BNSS, 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 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 Gopalganj PS Case No. 898 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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