

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28409 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- GOPALPUR District- Gopalganj

1. Sadam Hussain Son of Manshoor Alam R/o Vill.- Shivrajpur, P.S.- Badahariya, Dist.- Siwan
2. Khalid Ansari Son of Mobarak Husain R/o Vill.- Harpur, P.S.- Badahariya, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, asdv,

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Gopalpur P.S. Case No. 46 of 2025 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 855.360 litres of liquor was recovered from Bolero pickup whereas 65.160 litres of liquor was recovered from motorcycle.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious



possession of the petitioners. Learned counsel further submitted that petitioners are neither the owner nor the driver of the vehicles from which the alleged recovery has been made. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 23.02.2025 and have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 antecedent 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. 46 of 2025.

(Rudra Prakash Mishra, J)

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