

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45752 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- BARGAINIA District- Sitamarhi

1. Upendra Kumar S/o- Musafir Mehto @ Mosafir Mahto Village- Sinduria, P.S.- Berganiya, District- Sitamarhi
2. Chotu Babu S/o- Nagendra Mahto Village- Sinduria, P.S.- Berganiya, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Bairgania P.S. Case No. 42/2025 dated 16.03.2025 registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 360 litres of illicit Nepali country-made liquor was recovered from the Scorpio.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the possession of the petitioners. The petitioners are neither the



owner nor the driver of the said vehicle. The petitioner no. 2 has one antecedent whereas the petitioner no. 1 has clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 16.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi, in connection with Bairgania P.S. Case No. 42/2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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