

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34322 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- GAIGHAT District- Muzaffarpur

1. Angad Yadav son of Shri Ram Singhasan Yadav Resident of village -Tendua Khurd, PS- Jhangaha District -Gorakhpur Permaneant Resident of Songwa Bahraich State- Uttar Pradesh
2. Kundan Kumar Sah son of Shri Chotelal Sah village- Chakiya, Ps- chakiya, dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-06-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of regular bail to the petitioners who are in custody in connection with Gaighat P.S. Case No. 95 of 2025, lodged on 28.03.2025, under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of 1028.160 litres of foreign liquor has been made which is the subject matter of the present case.



4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the petitioners are the cleaner and driver of the vehicle and both have no knowledge about the illegal liquor being transported in the vehicle. Counsel submits that petitioners are in custody since 29.03.2025 having no criminal antecedent. Counsel further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances of this case, let the petitioners, above named, be released on bail, **subject to payment of rupees one lac in the account of Patna High Court Legal Services Committee**, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Exclusive Special Judge, Excise-III, Muzaffarpur, in connection with Gaighat P.S. Case No. 95 of 2025, subject to the conditions as laid down U/s 480(3) of the BNSS, 2023.

(Dr. Anshuman, J)

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