

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41366 of 2025**

Arising Out of PS. Case No.-109 Year-2025 Thana- BANJARIA District- East Champaran

1. Sk. Nazir @ Nazir Hader S/o Sk. Ansarool @ Ansarul Haque R/o vill - Mokhlispur, P.s.- Banjariya, Distt.- East Champaran, Motihari
2. Sandeep Kumar S/o Rajeshwar yadav R/o vill - Mokhlispur, P.s.- Banjariya, Distt.- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

2      01-07-2025                      Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Banjariya P.S. Case No. 109 of 2025 dated 18.02.2025 registered for the offences punishable u/s 317 (5) of the BNS and sections 30(a), 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 144 litres of illicit foreign liquor was recovered from the two different motorcycles which were of stolen.

4. Learned counsel for the petitioners has



submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not the owner of the said vehicle. The petitioners have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner no. 1 has clean antecedent and the petitioner no. 2 has one criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 12.04.2025.

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, East Champaran, Motihari in connection with Banjariya P.S. Case No. 109 of 2025, with the condition-:

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without



reasonable cause, the bail bond of the petitioner is liable to  
be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

guddukr/-

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