

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40300 of 2025

Arising Out of PS. Case No.-168 Year-2025 Thana- KUDRA District- Kaimur (Bhabua)

1. Sharwan Kumar S/o Kishana Ram @ Krishna Ram Resident of village- Dhorimanna, PS- Dhorimanna, Dist- Barmer, State - Rajasthan
2. Omprakash Vishnoi S/o Harbhajan Ram Resident of village- Dhorimanna, PS- Dhorimanna, Dist- Barmer, State - Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-06-2025 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 Kudra P.S. Case No. 168 of 2025 dated 14.04.2025 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 3042.36 litres of foreign liquor was recovered from seized container.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioner no. 1 is the driver and petitioner no. 2 is the co-driver of the said vehicle. The petitioners have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. It is also submitted that the petitioners are poor



labour of the seized vehicle and had no knowledge about the illicit liquor. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 15.04.2025.

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, Kaimur at Bhabhua in connection with Kudra P.S. Case No. 168 of 2025 with a condition:

(i) The petitioners are 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 petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Sudhanshu/-

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