

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50552 of 2025

Arising Out of PS. Case No.-108 Year-2025 Thana- Geedha District- Bhojpur

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1. Amit S/o Late Prakash R/o Quarter No. C/94, Janta Colony, PS Chandigarh Sector 25, District- Chandigarh, Punjab
 2. Vikash Tiwari S/o Shyamdev @ Shyamdev Tiwari, R/o Vill- Palchak, P.S.- Mohamadi Khiri, Dist- Lakhimpura (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

5 16-10-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners seek regular bail in a case registered under Section 318 of Bharatiya Nyaya Sanhita and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 3429.36 litres of illicit liquor from truck bearing Reg. No. NL06-A-7759 and the petitioners, who were driver and cleaner of the said truck, apprehended at the place of occurrence.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Further submission is that petitioners had no knowledge



with respect to the seized illicit liquor kept in the truck. As per the instruction of the owner, they had to transport the truck from one place to another. No incriminating material has been recovered from the conscious possession of the petitioners. There is no independent witness to the seizure list. Petitioners have no concern with the seized illicit liquor and they are not involved in the illegal business of illicit liquor. The charge-sheet has already been submitted after completion of investigation. Petitioners have clean antecedent and there is no chance of their absconding or tampering with the evidence. Petitioners are in custody since 01.05.2025 and they undertake to cooperate in the trial.

5. Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioners.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court concerned, Ara, Bhojpur in connection with Gidha P.S. Case No. 108 of 2025 subject to the following conditions:-



(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself.

(Sunil Dutta Mishra, J)

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