

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46508 of 2025

Arising Out of PS. Case No.-153 Year-2025 Thana- SHERGHATI District- Gaya

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1. Prem Kumar S/o Bihari Prasad, Resident of Village- Kaudiya, P.S.- Sherghati, District- Gaya,
 2. Suraj Kumar S/o Surendra Kumar, Resident of Village- Kairi Bigha, P.S.- Sherghati, District- Gaya,

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Akbar Ali, APP

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 Sherghati P.S. Case No. 153 of 2025 dated 12.04.2025 registered for the offences punishable under Sections 30(a) and 45 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 63.375 litres of illicit foreign liquor was recovered from the car.

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 vehicle in question does not belong to the petitioners, rather they were just driver and co-driver of the vehicle in question. Petitioners have no concern either with the vehicle in question or with the alleged recovery. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner no. 1 is in custody since 12.04.2025 and petitioner no. 2 is in custody since 04.05.2025.

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 bonds of Rs.20,000/- (Rupees Twenty Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 5, Gaya, in connection with **Sherghati P.S. Case No. 153 of 2025**.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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