

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49552 of 2025

Arising Out of PS. Case No.-240 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Vikash Kumar S/o Dina Nonia Resident of Village- Akhlaspur (Ward No. 5)
P.S.- Bhabua, District Kaimur at Bhabua
2. Shankar Chauhan S/o Shiv Pujan Chauhan R/o vill - Mokari, (Ward no. 6),
P.S.- Bhabua, Distt.- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Excise
PS Case No. 240 of 2025 instituted for the offences under
Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 113.400
litres of liquor was recovered from Wagon-R Car bearing Regd
No. UP63L-2900.

4. Learned counsel for the petitioners submit that the
petitioners are innocent and have falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioners. The petitioners have
got no concern with the alleged recovery of liquor. It is



submitted that petitioner no. 2 is the driver and petitioner no. 1 was sitting in the seized vehicle and they have no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 06.04.2025. Petitioner no. 1 has three criminal antecedents in which he is on bail and petitioner no. 2 has no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Case No. 240 of 2025.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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