

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47622 of 2025

Arising Out of PS. Case No.-381 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Lallan Kumar, aged about 42 years, Male, S/O Sindeshwar Mukhiya, R/O Village- Belagot, P.S- Kishunpur, District- Supaul (Bihar).
2. Santosh Kumar, aged about 24 years, Male, S/O Late Ganesh Sahni, R/O Village and P.S- Nauhatta, Distt.- Saharsa (Bihar).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sarfraz Ahmad, Advocate
For the Opposite Party : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-07-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Excise P.S. Case No. 381 of 2025 dated 31.01.2025 registered for the offences punishable under Sections 30(a), 32(3)(1) and 41(1)(2) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 1061.640 litres of foreign liquor was recovered from the Bolero Pick-up vehicle which was driven by the petitioner no. 1 and the petitioner no. 2 was the co-driver of the said vehicle.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. It is submitted that the petitioner no. 1 was the driver and the petitioner no. 2 was the co-driver of the vehicle in question. They had no knowledge that the illicit liquor was kept on the said vehicle. They have no concern with the alleged offence. No incriminating article has been recovered from their possession. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail petition. They are in custody in this case since 01.06.2025.

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 Exclusive Special Judge, (Excise)-II, Kaimur at Bhabua in connection with Excise P.S. Case No. 381 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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