

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49145 of 2025

Arising Out of PS. Case No.-168 Year-2025 Thana- Excise P.S. District- Rohtas

1. Upadhyay Singh @ Upadhya Singh @ Upadhya Mahto S/o Late Dukhi Singh R/o Village- Dahiyar , Ward no. 10, P.O.- Karwandiya, PS- Sasaram M , Dist- Rohtas
2. Vishal Kumar @ Vishal Kumar Yadav S/o Shri Rajdeo Singh R/o Village- Dahiyar , Ward no. 10, P.O.- Karwandiya, PS- Sasaram M , Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh, Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-07-2025 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 Excise Case No. 329 of 2025 arising out of Sasaram Excise P.S. Case No. 168 of 2025 dated 19.05.2025 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 50 litres of illicit country made liquor was recovered from the possession of the petitioners.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The name of the petitioners was transpired in this case merely on suspicion. The petitioners have no concern with the seized liquor. Nothing has been recovered from the conscious possession of the



petitioners. The petitioner no. 1 has seven criminal antecedents whereas the petitioner no. 2 has two criminal antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 19.05.2025.

5. Learned A.P.P. for the State has 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, Rohtas at Sasaram in connection with Excise Case No. 329 of 2025 arising out of Sasaram Excise P.S. Case No. 168 of 2025 with the 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 bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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