

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47609 of 2025

Arising Out of PS. Case No.-129 Year-2025 Thana- GOPALPUR District- Gopalganj

Gayasuddin Miya @ Gyasuddin Uddin Miyan, (Male), aged about 33 years,
S/O Imamuddin Miyan, Resident of Village- Sanhula, Chandrbhan, P.S.-
Gopalpur, Dist.- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Saurabh Kumar, Advocate
For the Opposite Party : Mr. Rajesh Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

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

2. The petitioner seeks bail in connection with
Gopalpur P.S. Case No. 129 of 2025 dated 13.05.2025 registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 18 litres of illicit
country made liquor was recovered from the two motorcycles.
Out of which, 09 litres of country made illicit liquor was
recovered from the motorcycle of the petitioner.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. It is submitted that the name of the petitioner has



surfaced in the present case as the petitioner was the owner of one of the motorcycles bearing Registration No. UP 53DQ-884. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged offence. There is general and omnibus allegation against the petitioner. The petitioner has five criminal antecedents which are of similar nature of offence in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 14.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-IV-cum-Exclusive Special Excise Court-II, Gopalganj in connection with Gopalpur P.S. Case No. 129 of 2025 with further condition:-

(I) The petitioner is 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 petitioner are
liable to be cancelled.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

