

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55419 of 2025

Arising Out of PS. Case No.-173 Year-2025 Thana- POTHIIYA District- Kishanganj

1. ABDUL KALAM Son of Mulaji Safique R/O- Kasba Kishore, P.S.- Kithore, District - Meerut, State - Uttar Pradesh.
2. Md. Junaid Son of Sher Mohammad R/O- Fulri, P.S.- Dandmukteshwar, District - Hapur, State - Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-08-2025 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Pothia P.S. Case No. 173 of 2025 dated 01.07.2025 registered for the offences punishable u/ss 319(2), 318(4) and section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 5880 litres of illicit foreign liquor was recovered from the truck.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioner no.1 is the driver and the



petitioner no. 2 is the cleaner of the said vehicle. The petitioners have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 02.07.2025.

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 Court concerned, Kishanganj (Bihar) in connection with Pothia P.S. Case No. 173 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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