

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64108 of 2025

Arising Out of PS. Case No.-305 Year-2025 Thana- AKBARPUR District- Nawada

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1. Vikash Kumar S/o Late Arjun Chaudhary R/o Village - Mahadev More, P.S - Rajauli, District - Nawada
 2. Kanhaiya Kumar S/o Mahadev Singh R/o Village - Mahadev More, P.S - Rajauli, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners seek bail in connection with Akbarpur P.S. Case No. 305 of 2025 registered for the offences under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, recovery of 175 litres of country made liquor was made from a bag being carried by the petitioners on a motorcycle.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioners.



Petitioners were not arrested with illicit liquor but they were falsely implicated in this case. Seizure list was not prepared in accordance with law and there is no independent witness to the seizure list. The motorcycle which was seized by the police does not belong to the petitioners. Petitioners are in custody since 20.06.2025 and charge-sheet has been submitted. Petitioners are having antecedent of 2 cases of similar nature in which they are on bail.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioners and submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Nawada/concerned court in connection with Akbarpur P.S. Case No. 305 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.



(ii) The petitioners will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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