

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61855 of 2025

Arising Out of PS. Case No.-395 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

1.

Mumtaz Alam Nazir Hussain Resident of Village - Gopalpur, Police Station - Doriganj, District - Saran.
2.

Golu Kumar Son of Late Satendra Sah Resident of Village - Daftarur, Police Station - Doriganj, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Mili Kumari, Adv.

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2

22-09-2025

Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Chapra(M) P.S. Case No. 395 of 2025, registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, recovery of 336.96 litre of foreign liquor was made from a pickup van and the petitioners are stated to be driver and cleaner, respectively of the said pickup van.

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 as they were not having any knowledge about recovered liquor which was hidden in a box being driver and cleaner of the said van. The petitioners are in custody since 14.07.2025 and they have no criminal antecedent.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioners and no recovery shown from the conscious possession of the petitioners, the petitioners 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 1st Exclusive Special Excise Judge, Saran at Chapra/concerned court, in connection with Chapra(M) P.S. Case No. 395 of 2025, subject to the condition laid down under Section 480(3) of the BNSS 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 below, if
so required by the learned trial court.

(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)

Anuradha/-

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