

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63851 of 2025

Arising Out of PS. Case No.-249 Year-2025 Thana- GUTHANI District- Siwan

1. Md. Hafizur Rahman S/O Abdul Rahman Resident of Village - Rustampur, Azad Chowk, New Colony, Chilamapur, P.S. - Ramgarh Taal, District - Gorakhpur (U.P.)
2. Rima Verma W/O Rinku Verma Resident of Village- Pichhaura, P.S.- Gagaha, Dist.- Gorakhpur, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.

For the Opposite Party/s : Md. Anzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-09-2025 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 Guthani P.S. Case No. 249 of 2025, registered for the offences under Section 30(a), 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on secret information a vehicle was intercepted and the petitioners were apprehended and from search of the vehicle, recovery of 501.360 liters of foreign liquor was made.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have



been falsely implicated in this case. Learned counsel for the petitioners submits that the petitioners are driver and passenger in the said vehicle, respectively and they have no concern with the seized liquor. Nothing incriminating has been recovered from the conscious possession of the petitioners. The car in question does not belong to the petitioners. There is complete violation of Section 103 of the BNSS. The petitioner no. 1 is having antecedent of 1 case whereas the petitioner no. 2 has got clean antecedent. The petitioners are in custody since 14.07.2025.

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 that petitioners are stated to be driver and passenger of vehicle from which recovery has been shown and further considering their period of custody and submission of charge sheet, 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 Exclusive Special Judge, Excise Court No. I, Siwan/concerned court, in connection with Guthani P.S. Case



No. 249 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)

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