

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63910 of 2025

Arising Out of PS. Case No.-272 Year-2025 Thana- GOPALPUR District- Patna

-
1. Guddu Kumar, S/o Mohan Mahato, R/o Village- Baikunthpur, P.S- Baikunthpur, District - Gopalganj
 2. Vikash Kumar, S/o Late Baijnath Ray, R/o Village - Bahrampur, P.S - Baikunthpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Priya Raj, Advocate

For the Opposite Party/s : Mrs.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-09-2025 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 Gopalpur P.S. Case No. 272 of 2025, registered for the offences under Section 30 (a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, on suspicion, a transporting company checked one of the consignments and informed the police, which took the consignment in its possession. From this consignment, about 200 liters of spirit was recovered. The petitioners went to collect the said consignment on behalf of co-accused Pankaj Mahto.



4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The petitioners have otherwise no concern with the consignment and they went to the transporting company on the directions of co-accused Pankaj Mahto, who is stated to be the consignee of the seized spirit. The learned counsel further submits that the seized article is rectified spirit which is not meant for human consumption and could not be used as liquor as it is used for sanitation and industrial work. The petitioners are poor person and are not involved in any manner in illicit trade of liquor. The petitioners are in custody since 08.07.2025 and are having criminal antecedent.

5. Learned A.P.P. vehemently 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 period of custody 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 Exclusive Special Judge, Excise-2, Patna/concerned court, in connection with Gopalpur P.S. Case No. 272 of 2025, subject to the conditions



mentioned in Section 480 (3) of BNSS and also the 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)

V.K.Pandey/-

U		T	
---	--	---	--

