

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66876 of 2025

Arising Out of PS. Case No.-134 Year-2025 Thana- MAIRWAN District- Siwan

Ashok Kumar Thapa Son of Late Dhan Bahadur Thapa Resident of mohalla -
Kudaghat, P.S.- Cantt., District - Gorakhpur (U.P.)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Rachna Rani Mr.Nawnit Kumar Tiwary
For the Opposite Party/s :		Mr.Kanhaiya Kishore (App.100)

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 10-10-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mairwan P.S. Case No. 134 of 2025 dated 23.03.2025 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 159.120 litres of illicit foreign liquor was recovered from the Duster Car.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said vehicle and he has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. As



per para. 8 of the bail petition, the petitioner is the driver of the said vehicle. The other co-accused person has already been granted regular bail by this court vide order dated 08.07.2025 passed in Cr. Misc. No. 42686/2025. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Mairwan P.S. Case No. 134 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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