

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66270 of 2025

Arising Out of PS. Case No.-106 Year-2025 Thana- CHERKI District- Gaya

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1. Aklu Kumar S/O Vijay Yadav R/O Vill.- Salwar, P.S.- Imamganj, Dist.- Gayaji
 2. Rupesh Kumar S/O Bhutan Bharti R/O Vill.- Salwar, P.S.- Imamganj, Dist.- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners seek bail in connection with Cherki P.S. Case No. 106 of 2025 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received information about two persons carrying liquor with them and coming on a motorcycle. The motorcycle was signaled to stop but they tried to flee away with the motorcycle on seeing the police party. The petitioners were apprehended and from the back bag of petitioner Rupesh Kumar, recovery of 24 litres of



foreign liquor was made.

4. Learned counsel for 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. Admittedly, the recovery has not been made from the motorcycle which the petitioner no. 1 was driving. The petitioners are having clean antecedent and they are in custody since 27.07.2025.

5. Learned APP opposes the submission made on behalf of the petitioners.

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 their clean antecedent, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-I, Gayaji/concerned Court in connection with Cherki P.S. Case No. 106 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. 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 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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