

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70371 of 2025

Arising Out of PS. Case No.-287 Year-2025 Thana- Kavaiya District- Lakhisarai

1. Krishn Dhivar S/o Late Vidhan Dhivar Resident of Village- Barmasia, P.S.- Dhausaar, District - Dhanbad (Jharkhand)
2. Pintu Kumar S/o Late Brahamdeo Yadav Resident of Village- Barmasia, P.S.- Dhausaar, District - Dhanbad (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Advocate

For the Opposite Party/s : Ms.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 13-10-2025 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in connection with Kawaia P.S. Case No. 287/2025 registered for the offences punishable under Sections 303(2), 317(2) of the Bharatiya Nayay Sanhita, 2023 and Section 30(a) of the Bihar Prohibition & Excise Acct, 2016.

3. As per the prosecution case, 4666.08 litres of IMFL was recovered by the police from a Tanker bearing Reg. No. BR-09H-8032. The police apprehended the driver and cleaner of the said vehicle who disclosed their names as Krishna Dhivar (petitioner no.1) and Pintu Kumar



(petitioner no. 2).

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Learned counsel further submits that the petitioners are not the owner of the said vehicle and they have no knowledge of the alleged consignment being loaded on the said Tanker. Moreover, petitioners have clean antecedent and they are in languishing in judicial custody since 23.07.2025.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioners.

6. Considering the facts and circumstances of the case, this application for regular bail is allowed.

7. Accordingly, let the petitioners, above named, 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 the learned District & Additional Sessions Judge IV-cum-Special Excise Court-1st, Lakhisarai in connection with Kawaia P.S. Case No. 287 of 2025, with following condition(s):-

(a) One of the bailors should be family



member/close relative of the petitioner.

(b) Petitioner shall co-operate in the trial and shall be present on each and every fixed date, till framing of charge, and on his absence on two consecutive dates without sufficient reason, his bail bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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