

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71285 of 2025

Arising Out of PS. Case No.-167 Year-2025 Thana- VISHAMBHARPUR District- Gopalganj

1. Jitendra Kumar Son of Binda Paswan, Resident of Village- Dayeni Maath, Ps- Kalyanpur, Dist- Motihari.
2. Niraj Kumar son of Bhola Paswan, Resident of Village- Dayeni Maath, Ps- Kalyanpur, Dist- Motihari.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baijnath Sah, Advocate.
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners seeks regular bail in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 579
litre illicit foreign liquor from a Magic Pickup bearing
Registration No. BR-29GA-6903 and both the petitioners were
apprehended on the spot.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in this
case. He further submits that petitioner no.1 is driver and
petitioner no.2 is cleaner of the vehicle in question and they
have no knowledge about the fact that what was kept in the
vehicle in question. Learned counsel submits that no
incriminating article has been recovered from the conscious



possession of petitioners. He further submits that petitioners have no concern either with the alleged seized liquor or with the vehicle in question. Learned counsel submits that seizure list has not been prepared in accordance with mandatory provisions of law. He further submits that petitioners are in custody since 04.08.2025 and they have got clean antecedent. Learned counsel submits that there is no likelihood of absconding the petitioners or tampering with the evidence and they undertake to cooperate in the investigation and trial.

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

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned in connection with Vishambharpur P.S. Case No.167 of 2025.

(Sunil Dutta Mishra, J)

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