

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77680 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- EXCISE MAHAMMADPUR District-
Gopalganj

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1. Dhanu Kumar son of Ramayan Ram R/O Village- Mangolpur, P.S-
Mahammadpur, District- Gopalganj
 2. Bhola Singh son of Bhagwan Singh R/O Village- Mangolpur, P.S-
Mahammadpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Adv

For the Opposite Party/s : Mr. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Excise
Mahammadpur P.S. Case No. 36 of 2025, instituted for the
offences punishable under Sections 30(a), 32 (c) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 362.88 liters
liquor was recovered from motorcycle and Hut. Both the
petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioners. The petitioners have



got no concern with the alleged recovery of liquor. The name of the petitioner no. 1 has transpired as being owner of the vehicle. So far recovery of liquor from the said vehicle is concerned, the same has been planted by the police party. So far recovery from the hut is concerned, the same is an open place accessible to one and all. The petitioners are in custody since 13.08.2025 and have got clean antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Mahammadpur P.S. Case No. 36 of 2025.

(Rudra Prakash Mishra, J)

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