

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81064 of 2025

Arising Out of PS. Case No.-976 Year-2025 Thana- MAHUA District- Vaishali

1. Gurpreet Singh @ Gurupreet Singh Son of Late Jagtar Singh Resident of -Shri Ram Nagar Colony,D.C.M, Ps - Udyog Nagar, Dist. - Kota (Rajasthan).
2. Sarbjeet Singh Son of Jogendra Singh R/o Silor, P.S. - Sadar, Dist. - Bundi(Rajasthan).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Advocate
For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Mahua P.S. Case No. 976 of 2025, instituted for the offences punishable under Sections 274, 275, 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 30(a), 32(1) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 3103.56 liters liquor was recovered from truck and both the petitioners were apprehended 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. Learned counsel for the petitioners also submits that the petitioners are not owner of that truck rather petitioner no. 1 is driver and petitioner no. 2 is co-driver of that vehicle and they have got no knowledge with regard to the nature of goods loaded in the vehicle. The petitioners are in custody since 27.09.2025 and have got no criminal 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 petitioner no. 1 be released on bail *after framing of charge, if not already framed* as also petitioner no. 2 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 Mahua P.S. Case No. 976 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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