

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87370 of 2024

Arising Out of PS. Case No.-876 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

1. SHAMSER ALI S/o- SAJAUDDIN ALI Village- Bahadurpur Ps- Jalalpur Dist- Chandauli U.P
2. Ganesh Chaurashiya S/o- Late Nandlal Chaurashiya Village-47/23, Kutuapura Ps- Kotwali Dist- VAranshi U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Bhabua Excise P.S. Case No. 876 of 2024 dated 15.11.2024 registered for the offences punishable u/ss 30(a), 32(1), 32(3), 41(1) and 41(2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 336.6 litres of illicit foreign liquor was recovered from the Tata Ace Gold Magic.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no.1 is the driver and



the petitioner no.2 is the co-driver of the said vehicle. The petitioners have no concern with the alleged recovery. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 16.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabua in connection with Bhabua Excise P.S. Case No. 876 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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