

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1142 of 2025

Arising Out of PS. Case No.-455 Year-2024 Thana- DHAKA District- East Champaran

1. Rajababu Kumar Son of Nagendra paswan @ Nagendra Kumar Resident of village- Chainpur, P.S.-Dhaka, District- East Champaran
2. Niraj Kumar Son of Vinay Paswan Resident of village- Malkauniya, P.S.- Pachpakari, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 19-02-2025 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 Dhaka P.S. Case No. 455 of 2024 dated 02.11.2024 registered for the offences punishable u/s 317(5) of BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 162 litres of illicit Nepali liquor was recovered from the two motorcycles.

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 name of the petitioner has transpired in this case merely on suspicion. The petitioners are not the owner of the said motorcycles. 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 02.11.2024.

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, Motihari, East Champaran in connection with Dhaka P.S. Case No. 455 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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