

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34026 of 2025**

Arising Out of PS. Case No.-155 Year-2025 Thana- MADANPUR District- Aurangabad

1. Raju Paswan S/o Laxman Paswan R/o Village- Pundra P.S.-Simariya, District- Chatra State- Jharkhand
2. Ramnath Yadav S/o Late Visheswar Yadav R/o vill - Chaurahi, P.S.- Simariya, Distt.- Chatra, Jharkhand

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER**

2 29-05-2025 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with Madanpur P.S. Case No. 155 of 2025, registered for the offences punishable under Sections 30(a), 34 and 36 of Bihar Prohibition & Excise Amendment Act, 2022. Petitioners have clean antecedent.

3. As per the prosecution case, the police intercepted a truck and apprehended two persons who disclosed their names as Raju Paswan (petitioner no.1) and Ramnath Yadav (petitioner no.2). On search, total 1600 liters of Spirit Wine is said to have been recovered from the said truck and the apprehended persons



disclosed that the said wine belong to one Tuntun Chaudhary and Surendra Saw.

4. The learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioners are the driver and the co-driver respectively. It has been submitted that they were not aware of the contents which was kept in the truck and was just delivering the consignment which they were asked to by their pay master. It has further been submitted that the seized item was spirit, however, it has been stated to have been Spirit Wine which apparently does not sound feasible. The learned counsel lastly submits that the petitioners have clean antecedent and they are in custody since 17.04.2025.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the petitioners were apprehended with large consignment of 1600 liters of Spirit Wine.

6. Considering the aforesaid submissions made by the parties and taking into account that petitioners have clean antecedent and they are driver and co-driver of the truck, I am inclined to grant the petitioners privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.



8. Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the court of learned District and Additional Sessions Judge cum Exclusive Special Judge, Excise Court No.-1, Aurangabad, in connection with Madanpur P.S. Case No. 155 of 2025, subject to the following conditions:-

- (i)** One of the bailors of the petitioners shall be his close relative.
- (ii)** The petitioners shall remain physically present in Court on each date of the trial.
- (iii)** In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.
- (iv)** If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v)** The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of



the above-mentioned order shall not be delayed for purpose of
or in the name of verification.

(Sourendra Pandey, J)

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