

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12217 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- PHULWARIYA District- Gopalganj

1. Dhaneshwar Kumar S/o Ravindra Ram R/o Village- Katawa, P.S.- Gopalganj, District- Gopalganj.
2. Vikash Kumar @ Vikesh Kumar S/o Dhurendra Ram R/o Village- Katawa, P.S.- Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad

For the Opposite Party/s : Mr.Kanhaiya Kishore (App100)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2019 Heard the learned counsel for the petitioners and the
learned counsel for the State.

The petitioners seek regular bail in connection with Fulwariya PS case no. 5 of 2019 registered for the offence punishable under Section 30(a) of Bihar Excise and Prohibition Act, 2016.

The allegation is regarding recovery of 80 liters of illicit liquor from a car which had met with an accident. The police had reached the place of occurrence and recovered the illicit liquor after apprehending the petitioners herein while the driver had fled away.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is further submitted, by referring to paragraph 9 of the



petition, that neither illicit liquor nor the alleged car belongs to the petitioners herein and they were merely sitting in the car after having taken lift and the main accused is the driver and owner of the car. It is further submitted that petitioner no. 2 has got clean antecedent and as far as petitioner no. 1 is concerned, he is an accused in one other case in which he is on bail. Lastly, it is submitted that the petitioner is languishing in custody since 09.01.2019.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners on regular bail.

Accordingly, the abovenamed petitioners are directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Addl. District Judge-cum-Special Judge, Excise, Gopalganj in connection with Fulwariya PS case no. 05 of 2019.

(Mohit Kumar Shah, J)

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