

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14063 of 2021

Arising Out of PS. Case No.-859 Year-2020 Thana- BIHTA District- Patna

1. LUVKUSH KUMAR S/o Suraj Ray Resident of- Maudahi, P.S.- Bihta, District- Patna
2. Jitendra Kumar S/o Suneshwar Choudhary Resident of- Maudahi, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 01-07-2021

Heard learned counsel for the petitioners and learned counsel for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Bihta P.S. Case no. 859 of 2020 registered under section 30(a) Bihar Prohibition and Excise Act.

As per allegation in the FIR, 100 litres of Mahua liquor was recovered from the two petitioners herein.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the petitioners. They have been falsely implicated in the case. They are in custody since 3.12.2020 and have no criminal antecedent.

The application for bail is opposed by learned counsel for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case



including the petitioners being in custody for about 7 months, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Bihta P.S. Case no. 859 of 2020 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna.

(Partha Sarthy, J)

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