

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22169 of 2021

Arising Out of PS. Case No.-570 Year-2020 Thana- KADAMKUAN District- Patna

1. PRIYESH KUMAR son of Rajesh Choudhary Resident of Village - Pansalla, P.S. - Wath, District - Bhagalpur.
2. Sanjay Kumar Paswan Son of Buto Paswan Resident of Village - Pansalla, P.S. - Wath, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-10-2021 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, about 120 litres of IMFL was recovered from a Tata Safari vehicle belonging to one Aryan Yadav and the petitioners were also taken into custody.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. They have no concern either with the vehicle in question nor with the seized liquor. They are in custody since



29.12.2020. It is further submitted that a supplementary affidavit has been filed stating about the petitioner no.1 being involved in one case and the inadvertent error committed in paragraph no.3 of the petition. It is submitted that the said case is not under the Bihar Prohibition and Excise Act.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the period in custody together with the petitioners not having any criminal antecedent under the Bihar Prohibition and Excise Act, the Court directs the petitioners to be enlarged on bail in connection with Kadamkuan P.S. Case no. 570 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, Patna.

(Partha Sarthy, J)

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