

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37647 of 2021

Arising Out of PS. Case No.-114 Year-2021 Thana- MOHAMMADPUR District- Gopalganj

1. JITENDRA KUMAR S/O CHANDRASHEKHAR PRASAD YADAV R/O VILLAGE-LADPUR, P.S-GARKHA, DISTRICT-CHHAPRA (SARAN).
2. HIRAMAN KUMAR S/O LATE RAGHUNATH PRASAD CHAURSIYA R/O VILLAGE-KHAIRA, P.S-KHAIRA, DISTRICT-CHHAPRA (SARAN).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek regular bail in connection with Mohammadpur P.S. Case No. 114 of 2021 for the offence registered under Section 30(a) of the Bihar Prohibition Excise Amendment Act, 2018.

The allegation is regarding recovery of 172.68 litres of illicit liquor from a Verna car and the petitioner no. 1 is stated to be the driver of the said vehicle while the petitioner no. 2 is stated to be a passenger.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case, are having a clean antecedent and they are



languishing in custody since 12.06.2021.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as also considering the fact that the petitioners are not the owner of the vehicle in question and they are languishing in custody since 12.06.2021, I deem it fit and proper to direct for release of the petitioners herein on regular bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Gopalganj in connection with Mohammadpur P.S. Case No. 114 of 2021.

(Mohit Kumar Shah, J)

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