

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10109 of 2021

Arising Out of PS. Case No.-224 Year-2020 Thana- FATEHPUR District- Gaya

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1. SATISH KUMAR S/o Shivrati Prasad Resident of Vill.- Tarawa, P.S.- Wazirganj, Distt.- Gaya
 2. SURAJ KUMAR S/o of Late Sanjay Choudhary Resident of Vill.- Tarawa, P.S.- Wazirganj, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-06-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Fatehpur P.S. Case no. 224 of 2020 registered under sections 30(a) and 32(ii) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the FIR, on a search being conducted, it is stated that 50 litres of liquor was recovered from the motorcycle and both the petitioners were taken into custody.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the



possession or motorcycle of the petitioners for the reason that the petitioners are not the owner of the alleged vehicle. The petitioners are in custody since 29.9.2020 and have no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioners having remained in custody for over 8 months and not having any criminal antecedent, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Fathehpur P.S. Case no. 224 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, Gaya.

(Partha Sarthy, J)

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