

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8449 of 2021

Arising Out of PS. Case No.-310 Year-2020 Thana- GAIGHAT District- Muzaffarpur

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1. DEEPAK KUMAR SON OF BALESHWAR MAHTO RESIDENT OF VILLAGE- KANSI, P.S.- SIMRI, DISTRICT- DARBHANGA.
 2. SUBODH KUMAR SON OF LATE KAMLU RAM VILLAGE- KUMARPATTI, P.S.- SIMRI, DISTRICT- DARBHANGA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 03-06-2021 Heard learned counsel for the petitioners and learned A.P.P. for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Gaighat P.S. Case no. 310 of 2020 registered under sections 272 and 273 of the Indian Penal Code and sections 30(a), 41 and 56(b) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., in course of checking of vehicle on the National Highway, it is stated that 25 litres of liquor was recovered from the two petitioners who were on motorcycle.

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



or motorcycle of the petitioners. They have been falsely implicated in the case. They are in custody since 4.10.2020 and have no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioners not having any criminal antecedent and the period in custody, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Gaighat Police Station Case no. 310 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each of them with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur.

(Partha Sarthy, J)

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