

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6508 of 2022

Arising Out of PS. Case No.-300 Year-2021 Thana- PHULWARIYA District- Gopalganj

1. Bikash Singh @ Bikash Kumar Singh Son Of Late Naresh Singh R/O Village- Balepur, P.S.- Phulwariya (SRIPUR O.P.), District- Gopalganj, State Of Bihar
2. Subindra Singh @ Subindra Kumar Singh Son Of Late Naresh Singh R/O Village- Balepur, P.S.- Phulwariya (SRIPUR O.P.), District- Gopalganj, State Of Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioners and learned A.P.P for the State through video conferencing.

The petitioners apprehend their arrest in Phulwariya P.S. Case No. 300 of 2021, registered for the offence punishable under Sections 272, 273 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2018.

126 litres of country made liquor has been recovered from Honda City car and petitioner has been named by the co-accused who were apprehended on the spot and they disclosed that on the direction of petitioners he was carrying the illicit liquor.

It is submitted that petitioners have falsely been



implicated in this case. Nothing has been recovered from conscious possession of petitioners. Petitioners are neither driver nor owner of vehicle in question and have got nothing to do with the alleged recovery. Save and except disclosure made by the co-accused there is no material against petitioners which shows there complicity in the alleged occurrence. Petitioners claim clean antecedents.

Considering the facts aforesaid, the petitioners above-named in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned Additional District & Sessions Judge-II-cum-Special Excise Judge, Gopalganj in connection with Phulwariya P.S. Case No. 300 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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