

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41462 of 2021

Arising Out of PS. Case No.-109 Year-2021 Thana- BARUN District- Aurangabad

-
1. BINDESHWAR PASWAN Son of Late Harihar Ram Resident of village - Sinduria, P.S. - Barun, District - Aurangabad.
 2. Pappu Kumari Son of Bindeshwar Paswan Resident of village - Sinduria, P.S. - Barun, District - Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2022 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Barun P.S. Case No. 109 of 2021, registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

The allegation is regarding recovery of 90 liters of country made liquor from a kiosk (gumti).

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 6.5.2021. It is further submitted that the kiosk in question does not belong to the petitioners.



Per contra, the learned APP 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 kiosk in question does not belong to the petitioners and moreover, they are languishing in custody since 6.5.2021, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II- cum Special Judge (Excise), Aurangabad (Bihar) in connection with Barun P.S. Case No. 109 of 2021.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

