

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48021 of 2021**

Arising Out of PS. Case No.-11 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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1. MANISH KUMAR, Son of Krishna Prasad Resident of Village - Hulashchak, P.S.- Dhanarua, Distt.- Patna.
 2. Happy Kumar, Son of Bablu Singh Resident of Village - Baurhi (Bauroho), P.S.- Dhanarua, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 10-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 30(a), 32 (1)(3), 41 (1) (2) and 56(b) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 280 litres of country liquor was recovered from possession of the petitioners.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their possession. They have been falsely implicated in the case . They are actually a passenger and the driver of the vehicle in



question. They are in custody since 28.6.2021 and have no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the petitioners not having any criminal antecedent and having remained in custody for more than 7 months, the petitioners are directed to be enlarged on bail in connection with Special Case no. 3868 of 2021 (arising out of P.R. Parsa Bazar P.S. Case no. E-11/2021) 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, Patna.

(Partha Sarthy, J)

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