

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57390 of 2022

Arising Out of PS. Case No.-268 Year-2022 Thana- MOTIPUR District- Muzaffarpur

1. Sonu Kumar @ Somu Kumar Son of Sitaram Choudhary, R/o Village- Gaura Inda Damodarpur, P.S.- Kanti, Distt.- Muzaffarpur.
2. Nikhil Raj Son of Nandeshwar Singh, R/o Village- Gaura Inda Damodarpur, P.S.- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual mode.

The petitioners seek regular bail in connection with Motipur P.S. Case No. 268 of 2022 lodged under Section 30(a) of Bihar Prohibition and Excise Act.

As per prosecution case, the total recovery of 95.040 liter of foreign liquor has been made, which is subject matter of the present case.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He further submits that antecedents of petitioners are clean, they are in custody since 29.07.2022 and charge sheet has already been

filed in this case. He further submits that Police has made raid on secret information and apprehended two persons near Creta vehicle from which recovery was alleged to be made. He also submits that these two persons who were apprehended have nothing to do with the Creta vehicle, they are neither owner nor driver of the said vehicle.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.2, Muzaffarpur in connection with Motipur P.S. Case No. 268 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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