

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5682 of 2023

Arising Out of PS. Case No.-823 Year-2022 Thana- PATLIPUTRA District- Patna

1. Purusottam Kumar @ Golu Son Of Uday Kumar Sharma R/O Khaira Bazar, P.S.- Kinjar, District- Arwal
2. Raushan Kumar Son Of Pramod Kumar R/O Sabanpura, P.S.- Kinjar, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd. Singh

For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners prayed for regular bail in connection with Patliputra P.S. Case no. 823 of 2022 instituted for the offence under Sections 30(a), 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 98.625 liters illicit foreign liquor of different varieties from a rented house in Indrapuri Road No.6 and the petitioners were arrested on spot.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this present case. A statement has been made in para-3 of the petition that



the petitioners have got no criminal antecedent. Petitioners have no concern with the alleged recovery of illicit liquor or with the place of occurrence. No any incriminating article has been recovered from their conscious possession. It is further submitted that the seizure list witness are police official not a single independent witness which violates the provision of of Cr.P.C. The petitioners are languishing in judicial custody since 5.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Patiliputra P.S. Case No. 823 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna.

(Sunil Kumar Panwar, J)

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