

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2154 of 2023

Arising Out of PS. Case No.-392 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

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1. Sonu Kumar Son Of Ashok Yadav R/O Mohalla- Adarsh Nagar, Ward No. 8, P.S.- Madhepura, District- Madhepura
 2. Sanjeev Kumar Son Of Ashok Yadav R/V- Naulakhiya, Ward No. 2, P.S.- Madhepura, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar
For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners prayed for regular bail in connection with Utpad P.S. Case No. 392 of 2022 instituted for the offence under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 97.560 liters contraband liquor from two vehicles. Thereafter this case has been lodged against four accused person along with these petitioners.

Learned counsel appearing on behalf of the



petitioners have submitted that petitioners are innocent and has committed no offence. Petitioners are teenagers and they have falsely been implicated in this present case merely on the basis of suspicion. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery or with the place of occurrence. No any incriminating article has been recovered from their conscious possession. The petitioners are languishing in judicial custody since 24.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioners were arrested on the spot with the alleged vehicle where the recovery has been made.

The petitioners are directed to deposit a sum of Rs 10,000/- (Ten Thousand) each in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Utpad P.S. Case No. 392 of 2022 on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to



the satisfaction of learned Special Judge Excise, Kishanganj.

The bail bonds of the petitioners shall be accepted by the learned court below on showing the receipt of deposit of Rs. 10,000/- (Rs. Ten Thousand) each by the petitioners in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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