

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3974 of 2023

Arising Out of PS. Case No.-13 Year-2022 Thana- D.R.I District- Patna

Nihal Kumar Pal Son Of Sri Krishna Kumar Pal R/V- Mauna Mishra Toli,
P.S.- Chapra Town, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Directorate of Revenue Intelligence, Patna Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4276 of 2023

Arising Out of PS. Case No.-13 Year-2022 Thana- D.R.I District- Patna

Pawan Kumar Son Of Sri Ram Babu Resident Of Mohalla- Near Langtua
Baba Panwale, Arya Nagar, P.S.- Chapra Town, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Union of India through Directorate of Revenue Intelligence, Patna Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 3974 of 2023)

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

For the UOI : Mr. Anshuman Singh, Sr. Sec. DRI

(In CRIMINAL MISCELLANEOUS No. 4276 of 2023)

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

For the UOI : Mr. Anshuman Singh, Sr. Sec. DRI

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-07-2023 Heard learned counsel for the petitioner, learned

counsel for the DRI and learned APP for the State.

The petitioner has prayed for regular bail in a case



registered for the offence punishable under sections 135 1(a), 135 1(b) of Custom Act.

As per prosecution case, both the petitioners were along with co-accused were caught red handed while transporting the foreign gold weighing 2914.700 grams by a Maruti XL6 car bearing Reg. No. BR01-PN-1493.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. The petitioners were passengers and merely on the basis of suspicion they have falsely been implicated in this case. They have got no criminal antecedent. The petitioners have no concern with the alleged recovery nor vehicle in question belongs to them rather it belongs to one, Santosh Kumar. It is further submitted that the petitioners are languishing in judicial custody since 23.06.2022.

Learned APP appearing for the state and learned counsel for the D.R.I. have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as 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 Complaint Case No. 360(o) of 2022, arising out of DRI Patna Unit Case No. 06/ 2022-23 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 Economic Offence, Patna.

(Sunil Kumar Panwar, J)

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