

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6436 of 2023

Arising Out of PS. Case No.-524 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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OM PRAKASH KUMAR Son of Manoj Kumar R/o village - Piprahi, Ward
No.- 08, P.S.- Ghailardh, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 7838 of 2023

Arising Out of PS. Case No.-524 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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GAUTAM KUMAR S/o Badri Yadav R/o Piprahi, Ward no. 8, P.S.-
Ghailardh, Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 6436 of 2023)

For the Petitioner/s : Mr. Pawan Kumar, Adv.

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP.

(In CRIMINAL MISCELLANEOUS No. 7838 of 2023)

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 29-04-2023 1. Both the criminal miscellaneous petitions have arisen out of the same police station case number, hence they are being heard together and disposed of by a common order.
2. Heard learned counsels for the petitioners and the learned APPs for the State.
3. Petitioners seek regular bail in connection with



Madhepura Excise P.S. Case No. 524 of 2022 dated 26.10.2022 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

4. The main submissions advanced by petitioners' counsel are that the instant matter relates to the recovery of 315.86 litres of foreign liquor, which is stated to have been recovered from a car but both the petitioners were not arrested from the said vehicle at the time of recovery and as per the prosecution, they were arrested on chase and accordingly, the alleged liquor was not recovered from their conscious possession and moreover, the petitioners' have fair and clean antecedent and against them, the investigation has been completed and they have been languishing in jail since 26.10.2022.

5. Learned APPs appearing for the State have opposed the bail prayer of both the petitioners.

6. Considering the above submissions and mainly the petitioners' fair and clean antecedent and against them, the investigation has been completed, in my opinion it is a fit case for bail to the petitioners. Accordingly, let both the petitioners named-above be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the Court concerned in
connection with Madhepura Excise P.S. Case No. 524 of 2022.

(Shailendra Singh, J)

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