

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 5830 of 2023

Arising Out of PS. Case No.-602 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

1. CHOTELAL KUMAR @ CHOTE LAL KUMAR Son of Virendra Singh R/v- Piprahiya, P.S.- Ara Muffasil, District- Bhojpur
2. TINKU SINGH Son of Suresh Singh R/v- Piprahiya, P.S.- Ara Muffasil, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhukar Anand

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case instituted for the offence under Section 414 of the IPC and Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

As per prosecution case, on receiving secret information the police party started checking the vehicles and then there has been recovery of total 109.365 liters of illegal foreign liquor from a Scorpio Car, which was being driven by petitioner no. 1 and from petitioner no. 2 a mobile phone has been recovered, who was also present in car.



It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners have apprehended on spot. He submitted that the petitioners have no concern with the seized liquor. Nothing incriminating article has been recovered from the conscious possession of these petitioners. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 11.11.2022.

The application for bail is opposed by learned APP for the State.

The petitioner no. 1 is directed to deposit Rs. 20,000/- (twenty thousand) in the account of concerned DLSA.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise)-I, Kaimur at Bhabhua in connection with Mohaniya P.S. Case No. 602 of 2022.

The bail bond of the petitioner no. 1 shall be accepted



by the learned Court below on showing receipt of deposit of Rs.
20,000/- (twenty thousand) by the petitioner no. 1 in the account
of concerned DLSA.

(Sunil Kumar Panwar, J)

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