

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7082 of 2023**

Arising Out of PS. Case No.-1009 Year-2022 Thana- SASARAM NAGAR District- Rohtas

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1. Raju Bind Son Of Somnath Bind R/V- Kadirganj, Ps- Darigaon, Dist-Rohtas At Sasaram
2. Raja Sonkar Son Of Nagendra Sonkar R/V- Kadirganj, Ps- Darigaon, Dist-Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      11-04-2023                      Heard learned counsel for the petitioners and  
learned APP for the State.

The petitioners prayed for regular bail in connection with Sasaram Town (Darigaon) P.S. Case no. 1009 of 2022 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act 2018.

Prosecution case relates to recovery of total 30 liters country made liquor, which was recovered from a motorcycle bearing Reg. No. BR-45-F-7896, after that this case has been lodged against the petitioners.

Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and



have committed no offence. They have falsely been implicated in this present case due to village politics. The motorcycle in question does not belong to them and 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. Neither seizure list has been prepared as per provision of law nor any single witness has supported the prosecution version. It is further submitted that the petitioners have got no criminal antecedent moreover, they are languishing in judicial custody since 22.11.2022.

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

The petitioners are directed to deposit a sum of Rs 5,000/- (Five 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 Sasaram



Town (Darigaon) P.S. Case No. 1009 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 Exclusive Special Excise Court No-2 cum Additional District and Sessions Judge, Rohtas at Sasaram.

The bail bonds of the petitioners shall be accepted by the learned court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five Thousand) each by the petitioners in the account of the concerned DLSA.

**(Sunil Kumar Panwar, J)**

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