

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10106 of 2023

Arising Out of PS. Case No.-226 Year-2022 Thana- DANIYAWAN District- Patna

1. Amardeep Kumar S/O Late Mishrilal Ray R/O Village- Lawapur, P.S.- Mahua, Distt- Vaishali At Hajipur.
2. Vishvjeet Kumar S/O Birendra Singh Yadav @ Virendra Yadav R/O Village- Nawada, P.S.- Sahar, Distt- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjana Parihar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 30(a), 32(2)(3)/36 and 41(i)(ii) of the Bihar Prohibition and Excise Act.

The prosecution case relates to recovery of total 259.56 liters foreign made liquor which was recovered from a pickup van bearing Reg. No. BR31GC-0959.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. The



petitioners have no concern with the alleged recovery nor vehicle in question belongs to them. The petitioner no-1 was the driver and petitioner no-2 was just sitting in the alleged vehicle and they were not aware of the loaded liquor which was kept in the vehicle. It is further submitted that the petitioners are languishing in judicial custody since 06.12.2022.

Learned APP appearing for the state has 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 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 Daniyawana P.S. Case No. 226 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Patna City.

(Sunil Kumar Panwar, J)

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