

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10083 of 2023

Arising Out of PS. Case No.-234 Year-2022 Thana- NAUHATTA District- Saharsa

1. Shobha Devi Wife Of Dinesh Yadav R/V- Chandrayan, Ward No. 13, P.S- Nauhatta, Dist- Saharsa
2. Deepak Kumar Yadav Son Of Shyam Sundar Yadav @ Shyamsundar Yadav R/V- Chandrayan, Ward No. 13, P.S- Nauhatta, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 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 registered for the offence punishable under sections 30(a), 41(1), 44 of Bihar Prohibition and Excise (Amendment) Act 2022.

As per prosecution case, it is alleged that the petitioners along with other co-accused were selling wine in the Village-Chandrayan and on search 288 litres and 720 ml



of illicit foreign liquor was recovered.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case merely on the basis of suspicion. Petitioners have no concern with the alleged recovery and no incriminating article has been recovered from their conscious possession. Similarly situated co-accused persons have already been granted bail by a coordinate bench of this Court vide order dated 21.04.2023 in Criminal Miscellaneous No. 9983 of 2023. It is further submitted that the petitioners are languishing in judicial custody since 17.09.2022.

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 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 Nauhatta P.S. Case No. 234 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 Additional
Sessions Judge-II-cum-Special Judge Excise, Saharsa

(Sunil Kumar Panwar, J)

Manish/-

U		T	
---	--	---	--

