

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12670 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- KANTI District- Muzaffarpur

1. Aakash Khatri @ Aakash Kahtri Son Of Dharambir Singh @ Dharambir R/O Village- House No.89, Raipur, P.S.- Sector 27, District- Sonipat, Hariyana
2. Arjun Son Of Rambhaj R/O Village- Kailashpur, House No.37, P.S.- Sector 27, District- Sonipat, Hariyana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 Heard learned counsel for the petitioners and

learned APP for the State.

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

Prosecution case relates to recovery of 288 litres of I.MFL. From two different cars. The petitioners were alleged to be sat in two different aforesaid vehicles and alleged to be apprehended on spot.



It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. They have no concern with the alleged recovered liquor. Moreover, the petitioners are languishing in judicial custody since 07.01.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. vehemently opposed the prayer of Bail and submitted that huge quantity of liquor has been recovered from the vehicles in which the petitioners are present and they are apprehended on spot.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period under custody, 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 Court No. II, Muzaffarpur in connection with Kanti P.S. Case No. 08 of 2023.

The petitioners are directed to deposit a sum of Rs. 10,000/-(Rupees Ten Thousands) each in the concerned District Legal Services Authority.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs. 10,000/-(Rupees Ten Thousands) each in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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