

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12504 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- FATEHPUR District- Gaya

1. BINDA GIRI SON OF KAILASH GIRI R/O VILLAGE- JAMHETA, P.S.-
FATEHPUR, DISTRICT- GAYA
2. KAPIL CHAUDHARY SON OF RAJENDRA CHAUDHARY R/O
VILLAGE- JAMHETA, P.S.- FATEHPUR, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 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 30(a) of the Bihar
Prohibition and Excise Act.

As per prosecution case, there has been recovery of
100 liters of illegal *Mahua* liquor recovered from two
motorcycles each, which were being driven by these



petitioners.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners were 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. They are languishing in judicial custody since 08.01.2023.

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

The petitioners are directed to deposit Rs. 10,000/- (Ten thousand) each 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 Exclusive Special Excise Court No. 1, Gaya in connection with Fatehpur P.S. Case No. 11 of 2023.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.



10,000/- (Ten thousand) each by the petitioners in the account of
concerned DLSA.

(Sunil Kumar Panwar, J)

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