

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17116 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- DARIYAPUR District- Saran

RAHUL KUMAR @ CHANDAN Son of Madan Ram R/o- Mohalla-
Bhrampur, Adarsh Colony, Road No-10 Patna Parmanent Address- Chotki
Dhariyari, Ps- Tharthari, Distt- Nalanda Petitioner/s

Versus

The State of Bihar Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 17488 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- DARIYAPUR District- Saran

RAKESH KUMAR S/O RAMSHREST RAI R/O-VILLAGE- THUMBHA,
P.S.- RUNI SAIDPUR, DISTT.- SITAMARHI, AT PRESENT- BABA
CHOWK, ROAD NO.-9, KESHRI NAGAR, PATNA. Petitioner/s

Versus

THE STATE OF BIHAR A.G. PATNA Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 17116 of 2023)

For the Petitioner/s : Mr.Shri Prakash Tiwari

For the Opposite Party/s : Mr.Bhanu Pratap Singh

(In CRIMINAL MISCELLANEOUS No. 17488 of 2023)

For the Petitioner/s : Mr.Shri Prakash Tiwari

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 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 420,
120(B) of the IPC and Sections 30(a) , 41(1)(2) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 446.760 litres
of IMFL from three different vehicles and both the petitioners
were apprehended on spot by police team from Hyundai Car



bearing Reg. No. WB06J0391.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and has committed no offence. They have got no criminal antecedent. They have no concern with the alleged recovery or with the vehicle in question. Both the petitioners have got no criminal antecedent and they are languishing in judicial custody since 15.1.2023.

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

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 Additional District and Sessions Judge 2nd cum-Exclusive Special Judge (Excise), Saran at Chapra in connection with Dariyapur P.S. Case No. 15 of 2023.

(Sunil Kumar Panwar, J)

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