

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15594 of 2023

Arising Out of PS. Case No.-637 Year-2022 Thana- GOPALPUR District- Patna

1. Fulchand Kumar S/O Suresh Mandal Resident Of Village- Chodiha, P.S.-
Jamui, District- Jamui
2. Karan Kumar S/O Shiv Charan Manjhi Resident Of Village- Chodiha, P.S.-
Jamui, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan
For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 21-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Gopalpur P.S. Case No. 637 of 2022 registered under sections 30(a), 32(2) (3), 36, 41(1) (2) and 44 of the Bihar Prohibition and Excise Act and Sections 420, 467, 468, 471 and 34 of the Indian Penal Code.

Prosecution case relates to recovery of 3129.75 liters of country made liquor from a truck bearing Registration No. HP11B-5657 and the petitioner no. 1 and petitioner no.2 are said to be the driver and conductor of the said vehicle.



Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted that neither the petitioners have any concern with the recovered illicit liquor nor they have committed any offence. It is also submitted that they have no knowledge about the illicit liquor kept in the said vehicle because they only picked the goods and transport it to its destination as told by their owner. Nothing incriminating articles have been recovered from their conscious possession. A statement has been made in para-3 of this petition that both the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 04.12.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Gopalpur P.S. Case No. 637 of 2022 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Special Judge
Excise, Patna.

(Sunil Kumar Panwar, J)

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