

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17299 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- BARHARA District- Bhojpur

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1. Shailesh Kumar Son of Chaneshwar Yadav R/V- Mahadev Bigha, P.S- Dhanaruwa, Dist- Patna
 2. Raushan Kumar Son of Mahendra Prasad R/V- Parwalpur P.S- Hilsa Dist- Nalanda at Biharsharif

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-05-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. Petitioners seek regular bail in connection with Barahara P.S. Case No. 81 of 2023, dated 11.02.2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioners' counsel are that the instant matter relates to the recovery of 309.6 litres of *foreign liquor* and the same is stated to have been recovered from a *Mahindra Pick-up vehicle* and the petitioners have been shown as being apprehended from the said vehicle but in actual they were arrested on suspicion and when the



police intercepted the alleged vehicle, petitioners were present there as bystanders and they have been languishing in jail since 12.02.2023 having fair and clean antecedent and against them the investigation has been completed.

4. Learned APP appearing for the State opposes the prayer for bail.

5. Considering the above submissions and mainly petitioners' fair and clean antecedent, completion of investigation against them and also the fact that recovery of the alleged wine is stated to have been made before two police personnel, who have been made witnesses of the seizure, in my opinion it is a fit case for bail to the petitioners. Accordingly, let both the petitioners named-above be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Barahara P.S. Case No. 81 of 2023.

(Shailendra Singh, J.)

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