

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17449 of 2023

Arising Out of PS. Case No.-10 Year-2023 Thana- GOPALPUR District- Gopalganj

1. Balbir Singh @ Balvir Singh S/O Amar Singh R/O Indrashar, P.S- Rajgargh, Distt.- Cheru, Rajasthan.
2. Shombir Jaath @ Sombir Jath S/O Vasingh Jaath R/O Indrashar, P.S- Rajgargh, Distt.- Cheru, Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj

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 prayed for regular bail in connection with Gopalpur P.S. Case no. 10 of 2023 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 720 liters of illicit liquor from a pick up van bearing Registration no. HR56B-2385 and both the petitioners were apprehended on spot who were sitting in the vehicle.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this present case.



A statement has been made in para-3 of the petition that the petitioners have got no criminal antecedent. Petitioners have no concern with the alleged recovery of illicit liquor or with the vehicle in question. No any incriminating article has been recovered from their possession. The petitioners are languishing in judicial custody since 24.1.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that both the petitioners are alleged to be involved in the trade of illicit liquor.

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten Thousand) each in the District Legal Services Authority of concerned District.

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 released on bail in connection with Gopalpur P.S. Case No. 10 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge IV-Cum-Exclusive Special Excise-II, Gopalganj.

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



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

(Sunil Kumar Panwar, J)

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