

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18269 of 2023

Arising Out of PS. Case No.-461 Year-2022 Thana- KUCHAIKOTE District- Gopalganj

1. Anil Kumar S/O Mahendra Singh R/O Village- Killoe Khas, P.S- Sadar Rohtak, Distt.- Rohtak (HARYANA)
2. Rahul Bhagwana S/O Om Prakash Bhagwana @ Om Prakash R/O Village- Papnera, P.S- Murthal, Distt.- Sonapat(Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur
For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 30(a), 32(2), 41(i) of the Bihar Prohibition & Excise Act.

There is recovery of 2633.4 litres of illicit Indian made foreign liquor from a truck. The petitioners being driver and co-driver were arrested from the place of seizure.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have



falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The petitioner has no concern either with the seized vehicle or the illicit liquor. The vehicle in question belongs to one Ashok Dahiya. The petitioners are languishing in custody since 22.10.2022. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IV-cum-Exclusive Special Excise Court-II, Gopalganj in connection with Kuchaikote P.S. Case No. 461 of 2022.

(Sunil Kumar Panwar, J)

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