

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16337 of 2023

Arising Out of PS. Case No.-181 Year-2019 Thana- BAISI District- Purnia

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Ram Kumar Bhagat @ Ram Kumar Chaudhary Son Of Rameshwar Bhagat @
Rameshwar Prasad Bhagat R/O Village- Kedia Patti, Ward No.04, P.S.- Araria
(R.S.), District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 19617 of 2023

Arising Out of PS. Case No.-181 Year-2019 Thana- BAISI District- Purnia

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Mithu Singh @ Chhotu Singh @ Nitesh Singh S/O Lal Singh @ Lal Prasad
Singh R/O Hasha Dakbangla, P.S- Raniganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 16337 of 2023)

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Pronoti Singh

(In CRIMINAL MISCELLANEOUS No. 19617 of 2023)

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for regular bail in a

case registered for the offence punishable under sections

272, 273, of the Indian Penal Code and Sections 30(a), 41,



47 Bihar Prohibition and Excise Act.

The prosecution case relates to recovery of total 259.68 liters English wine which was recovered from a Scorpio and upon confession of co-accused name of the petitioners surfaced in this case.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case merely on the basis of confessional statement of co-accused before the police, which does not got evidentiary value in the eye of law. The petitioners are not named in the FIR nor vehicle in question belongs to them. Nothing incriminating article has been recovered from their conscious possession. It is further submitted that the petitioners are languishing in judicial custody since 25.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are



directed to be released on bail in connection with Baisi P.S.
Case No. 181 of 2019 on furnishing bail bond of
Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned Exclusive Special
Excise Judge Court No-1, Purnea.

(Sunil Kumar Panwar, J)

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