

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21179 of 2023**

Arising Out of PS. Case No.-143 Year-2023 Thana- GAYA MUFASIL District- Gaya

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1. Pappu Kumar, son of Krishna Chaudhari
2. Md. Ekbal, son of Tamruddin
Both resident of village – Dumri Chatti, P.S. Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

- 2 11-05-2023 1. Heard learned counsel for the petitioners and the learned APP for the State.
2. Petitioners seek regular bail in connection with Muffasil P.S. Case No. 143 of 2023 dated 05.02.2023 registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise Act.
3. The main submissions advanced by the learned counsel for the petitioners are that the instant matter relates to the recovery of 95 litres of illicit *mahua* liquor and the same is stated to have been recovered from a tempo and as per prosecution both the petitioners were found sitting in the said tempo but in actual at the time of recovery the petitioner no.2 was driving the said tempo and petitioner no. 1 was present as a



passenger in the said vehicle and they had no knowledge about the loaded wine and during investigation independent witnesses did not reveal the involvement of the petitioners in carrying the alleged wine and they have fair and clean antecedent and against them the investigation has been completed.

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

5. Considering the above submissions and mainly the petitioners’ fair and clean antecedent and the completion of investigation against them, in the opinion of this court, the petitioners deserve to a lenient approach of this court. Accordingly, let the petitioners be released on bail in connection with Muffasil P.S. Case No. 143 of 2023 on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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