

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23196 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- PANDARAK District- Patna

MAHESH KUMAR S/O Jugal Prasad @ Yugal Ray @ Jugal Prasad Singh
Resident Of Village- Bakhtiyarpur Madhopur, P.S.- Bakhtiyarpur, District-
Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 23789 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- PANDARAK District- Patna

1. RANDHIR KUMAR @ BHULLU Son of Om Prakash Singh, Resident of
village - Sammatpur, P.S.- Salimpur, District - Patna.
2. ANKESH KUMAR @ MONU Son of Late Durga Sharma Resident of
village - Dayachak, P.S.- Barh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 23196 of 2023)

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Mrs. Meena Singh, APP

(In CRIMINAL MISCELLANEOUS No. 23789 of 2023)

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 12-05-2023 1. As both the criminal miscellaneous petitions
have arisen out of same P.S. case, hence they are heard together
and decided by a common order.
2. Heard learned counsel for the petitioners and
learned APP for the State.



3. Petitioners seek regular bail in connection with Pandarak P.S. Case No. 29 of 2023, dated 15.02.2023 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

4. The main submissions advanced by petitioners' counsel are that the instant matter relates to the recovery of 182.750 litres of *English Wine* and the same is stated to have been recovered from a Bolero vehicle and as per allegation five persons including these petitioners, were riding in the alleged vehicle and on seeing police party two accused persons managed to escape and all the above-named petitioners were apprehended at the spot but the petitioners were present in the alleged vehicle as passengers and they were neither driver nor owner of the said vehicle and co-accused Uday Yadav is the owner and co-accused Bikki Kumar was the driver of the alleged vehicle. Further submissions are that the petitioner namely, Mahesh Kumar has fair and clean antecedent and petitioners Randhir Kumar @ Bhullu and Ankesh Kumar @ Monu have criminal antecedents of two cases each and they have been languishing in jail since 16.02.2023 and against them the investigation has been completed.

5. Learned APP appearing for the State opposes the



prayer for bail of the petitioners.

6. Considering the above submissions and mainly taking into account petitioners' plea that they were neither owner nor driver of the alleged vehicle and also the fact that against the petitioners the investigation has been completed, in my opinion it is a fit case for bail to the petitioners. Accordingly, let all 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 Pandarak P.S. Case No. 29 of 2023.

(Shailendra Singh, J.)

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