

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25845 of 2023

Arising Out of PS. Case No.-103 Year-2023 Thana- MUFFASIL District- Aurangabad

1. DILIP KUMAR SON OF YOGENDRA SAW Resident of Village - Majahuli, P.S. - Suhail, District - Gaya
2. RAJU KUMAR SON OF BRAMDEV YADAV Resident of Village - Telwari, P.S. - Kothi, 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. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-05-2023 1. Heard learned counsel for the petitioners and the learned APP for the State.

2. Petitioners seek regular bail in connection with Aurangabad Muffasil P.S. Case No.103 of 2023 dated 16.03.2023 registered for the offence(s) punishable under Section(s) 30(a) of the 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 302.4 litres of country-made liquor and the same is stated to have been recovered from a Scorpio vehicle and both the petitioners were shown as being sitting in the said vehicle at the time of the recovery, but in fact the



petitioner No.1 is the driver of the alleged vehicle and at the time of recovery the petitioner No.1 was discharging his duty as a driver and the petitioner No.2 was present in the said vehicle as a passenger and both had no knowledge of the alleged wine and they have been languishing in jail since 16.03.2023 and there is no independent witness of the seizure.

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 also the fact that the alleged wine was recovered before two police personnel who have been made the witnesses of the seizure, in my opinion it is a fit case for bail to the petitioners. Accordingly, let the petitioners named-above be enlarged on bail in connection with Aurangabad Muffasil P.S. Case No.103 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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