

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28462 of 2023

Arising Out of PS. Case No.-187 Year-2023 Thana- GAYA KOTWALI District- Gaya

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1. AASHISH KUMAR @ GORA SON OF MUNNA YADAV R/O-BHADEJA, P.S.-MUFFASIL, DISTT.-GAYA
 2. VISHAL KUMAR SON OF RAMESH CHAUDHARY R/O-BHADEJA, P.S.-MUFFASIL, DISTT.-GAYA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 17-05-2023 1. Heard learned counsel for the petitioners and learned APP for the State.
2. Petitioners seek regular bail in connection with Kotwali P.S. Case No.187 of 2023 dated 10.03.2023 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 20 litres of illicit country-made mahuwa wine from a scooty vehicle but there is no independent witness of the seizure, petitioners are young persons and the compliance of Sections 74 and 82 of the Bihar Prohibition and



Excise Act, 2016 was not made by the police at the time of recovery of the alleged wine and both the petitioners have been wrongly made accused in this case and they have fair and clean antecedent and have been languishing in jail since 11.03.2023.

4. Per contra, learned APP appearing for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record, I deem it fit and proper to admit the petitioners to the privilege of bail.

6. Accordingly, let the petitioners named-above be enlarged on bail in connection with Kotwali P.S. Case No.187 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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