

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34740 of 2023**

Arising Out of PS. Case No.-39 Year-2023 Thana- WARISNAGAR District- Samastipur

1. NITISH KUMAR S/O LATE RAMCHANDRA MAHTO R/o Village-
Ramnagar, Kheda, P.S.-Khanpur, District-Samastipur
2. RANJIT KUMAR S/O VISHNU DEV MAHTO R/o Village- Ranjitpur,
P.S.-Khanpur, District-Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioners is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

The petitioners have preferred this application for

grant of regular bail in connection with Warisnagar P.S. Case
No. 39 of 2023 dated 3.2.2023 registered for the offences
punishable u/s 419, 420, 467, 468, 34 of the Indian Penal Code
and Section 30(a), 30(c), 30(d) of the Bihar Prohibition and
Excise Act.

As per the prosecution case, recovery is of total 1811

empty bottles of 375 ml of foreign liquor from the Maruti car of



the petitioners.

Learned counsel for the petitioners has submitted that the petitioners are innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioners. Nothing has been recovered from the conscious possession of the petitioners. The petitioners are accused in two other criminal cases as stated in para 3 of the bail petition. The petitioners are in custody since 4.2.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Warisnagar P.S. Case No. 39 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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