

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33651 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- PHULWARIYA District- Gopalganj

1. SONU CHAUHAN Son of Subash Chauhan Resident of village - Bijay Nagar Nardoli, P.S. - Sikandarpur, Distt. - Kasganj, Uttar Pradesh
2. Kaushal Kumar Son of Haribhan Singh Resident of village - Bijay Nagar Nardoli, P.S. - Sikandarpur, Distt. - Kasganj, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioners are 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 Phulwariya P.S. Case No. 112 of 2023 dated 30.03.2023 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act 2018.

As per the prosecution case, total 392.94 litres of foreign liquor was recovered from Mahindra Quantos car.

Learned counsel for the petitioners has submitted that



the petitioners are innocent and have falsely been implicated in this case. The petitioners are the driver and the co-driver of the said vehicle. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 31.03.2023.

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 the learned ADJ-II-cum- Special Judge, Excise Court No.1 Gopalganj in connection with Phulwariya P.S. Case No 112 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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