

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34310 of 2023

Arising Out of PS. Case No.-203 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

SHIVAM KUMAR S/O LATE PANKAJ SINGH R/O Village- Pokhariya,
Ward No. 38, P.S- Begusarai, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 35040 of 2023

Arising Out of PS. Case No.-203 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

RAJ KUMAR SAH Son of Ram Bilas Sah @ Ramvilash Sah Resident of
village-Kharidi (Faridi Matihani), Police Station-Matihani and District-
Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 34310 of 2023)

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

(In CRIMINAL MISCELLANEOUS No. 35040 of 2023)

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

**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
APP for the State.



The petitioners have preferred this application for grant of regular bail in connection with Mufassil (Lakho) P.S. Case No. 203 of 2023 dated 08.04.2023 registered for the offences punishable under Section 120B of the Indian Penal Code and Sections 30(a), 32 and 52 of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 1103.400 litres of illicit liquor was recovered from a Pick-up van which was being driven by Rajesh Rai who told that the said liquor belonged to the co-accused persons namely Kunal Kumar, Vishal Kumar, Shivam and Raj Kumar Sah.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioner No. 1 was riding on a motorcycle from which nothing has been recovered and the petitioner No. 2 was the passenger of the Pick-up van. The vehicle from which the liquor was recovered does not belong to the petitioners. The petitioners No. 1 is accused in four other criminal cases whereas the petitioner No. 2 is accused in two other criminal cases as stated in para 3 of the bail petition. The petitioners are in custody since 09.04.2023.

Learned A.P.P. for the State has vehemently opposed



the bail petition of the petitioners.

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, Begusarai , in connection with Mufassil (Lakho) P.S. Case No. 203 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

U		T	
---	--	---	--

