

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 35341 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- MADHWAPUR District- Madhubani

1. Raj Kumar Ram Son of Raj Mangal Ram Resident of Village- Barari Behata, PS- Benipatti, District- madhubani
2. Mausam Ram Son Sushil Ram Resident of Village- Massa Mirzapur, PS- Jale, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Gagan Deo Yadav, Vinod Kumar, Advocates
For the Opposite Party/s : Mr Rajesh Kumar, APP

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 Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioners have preferred this application for grant of regular bail in connection with GR No 526 of 2023 arising out of Madhwapur Police Station (for brevity, **PS**) Case No 32 of 2023 dated 03.04.2023 registered for the offence punishable under Sections 272, 273, 414/34 of Indian Penal Code and Section 30 (a) of Bihar Prohibition and Excise Act.

As per prosecution case, 108 litres of illicit liquor has



been recovered from the motorcycle.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no criminal case, as stated in paragraph 3 of the bail petition. They are in custody in this case since 04.04.2023. It is further submitted that the petitioners are neither the owner nor the driver of the vehicle.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioners, the petitioners above named are directed to be released on bail on each of them furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise Act, Madhubani in GR No 526 of 2023 arising out of Madhwapur PS Case No 32 of 2023 dated 03.04.2023.

This application stands allowed.

(Chandra Prakash Singh, J)

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