

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35259 of 2023

Arising Out of PS. Case No.-161 Year-2023 Thana- PHULWARIYA District- Gopalganj

1. Piyush Kumar S/O Jaiprakash Kumar R/O Village- Muzaffarpur, P.S- Dariyapur, Distt.- Chhapra (Saran).
2. Pankaj Kumar S/O Dharamdeo Singh R/O Village- Nasochak, P.S- Dariyapur, Distt.- Chhapra (Saran).

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Asha Devi, 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 APP for the State.

The petitioners have preferred this application for grant of regular bail in connection with Phulwariya P.S. Case No. 161 of 2023 dated 13.05.2023 registered for the offence punishable u/s 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 87 litres of foreign wine was recovered from the car.



Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the possession of the petitioners. The said vehicle does not belong to the petitioners. The names of the petitioners has sprung up in the confessional statement of the co-accused. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 14.05.2023.

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, Gopalganj, in connection with Phulwariya P.S. Case No. 161 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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