

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37645 of 2023

Arising Out of PS. Case No.-205 Year-2023 Thana- KESARIA District- East Champaran

1. MITHOO YADAV @ MITHU YADAV S/O PRASAD RAI @ PRASAD RAY R/O Village- Chand Parsa Ward No. 13, P.S- Kesariya, Distt.- East Champaran.
2. Abhimanu Kumar S/O Jyotik Rai R/O Village- Chand Parsa Ward No. 13, P.S- Kesariya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 28-06-2023 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 Kesariya P.S. Case No. 205 of 2023 dated 21.4.2023 registered for the offences punishable u/s 272 and 273 of the IPC and Sections 30(a), 32 and 41(I) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 52 litres of liquor is alleged to have recovered from an open place in the village



Chand Parsa. The petitioners were apprehend from the spot.

Learned counsel for the petitioners has submitted that the petitioners are innocent and has falsely been implicated in this case due to the dirty village politics. Nothing has been recovered from the conscious possession of the petitioners. The recovery is from an open place. The petitioners have got clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 22.4.2023.

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-bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Kesariya P.S. Case No. 205 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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