

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38998 of 2023

Arising Out of PS. Case No.-1161 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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1. PRADIP SAHANI Son of Arun Sahani @ Arun Chaudhary Resident of village - Raghunathpur ward no. 27, P.S. - Turkauliya, Distt. - East Champaran
 2. Rahul Kumar Son of Bablu Ram Resident of village - Raghunathpur ward no. 27, P.S. - Turkauliya, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar,Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-07-2023 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 APP for the State.

The petitioners have preferred this application for grant of regular bail in connection with Excise P.S. Case No. 1161 of 2023 dated 30.04.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, the petitioners were apprehended with motorcycle from which 100 litres of country made liquor was recovered which was kept in two sacks in



between the petitioners.

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 conscious possession of the petitioners. He has further submitted that the petitioners have no concern with the alleged recovery. The petitioner no. 1 is accused in one more criminal case whereas the petitioner no. 2 has got clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 01.05.2023.

Learned A.P.P. for the State has opposed the prayer of 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, East Champaran, Motihari in connection with Excise P.S. Case No. 1161 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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