

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38894 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- ANDHRAMATH District- Madhubani

1. Kundan Kumar @ Kundan Kumar Yadav Son Of Rajendra Yadav R/O Kupha, Ps- Raghobpur, District- Supaul
2. Manoj Kumar @ Manoj Kumar Ram Son Of Chandradeo Ray @ Chandar Dev Ram Resident Of Village- Dighiya, Ps- Nirmali, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 05-07-2023 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 G.R. No. 266 of 2023, arising out of Andharamath P.S Case No. 55 of 2023 dated 19.04.2023 registered for the offences punishable under Sections 272 and 273 read with 34 of the IPC and u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 144 litres of Nepali country-made liquor was recovered from the two motorcycles of



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 possession of the petitioners. The petitioner No. 1 is accused in one more criminal case whereas petitioner No. 2 has clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 20.04.2023.

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, Jhanjharpur, Madhubani in connection with G.R. No. 266 of 2023, arising out of Andharamath P.S Case No. 55 of 2023.

The application stands allowed.

atul/-

(Chandra Prakash Singh, J)

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