

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40915 of 2023**

Arising Out of PS. Case No.-81 Year-2023 Thana- INDUSTRIAL District- Bhagalpur

1. Nitish Kumar S/O Prmod Pandit @ Promod Pandit R/O Village- Navtoliya Banni, P.S- Maheshkhunt, Distt.- Khagaria.
2. Sumit Kumar S/O Ratan Thakur R/O Village- Balha Bazar, P.S- Mansi, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 14-07-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 30(a), 32(ii) of the Bihar Prohibition & Excise Act.

There is recovery of 91.8 litres of illicit Indian made foreign liquor from a car which was driven by petitioner No. 1 while petitioner No. 2 was sitting inside



the car.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern either with the seized vehicle or the illicit liquor. The petitioners are languishing in custody since 27.04.2023. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Since petitioner No. 1 was driving the car in question, the petitioner No. 1 is directed to deposit a sum of Rs. 10,000/-(Rupees Ten Thousands) in the District Legal Services Authority, Bhagalpur.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Exclusive



Special Excise Judge, 1st, Bhagalpur in connection with
Industrial Area P.S. Case No. 81 of 2023.

(Sunil Kumar Panwar, J)

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