

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41829 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- FATEHPUR District- Kishanganj

1. LAXMAN @ LAXMAN PRASAD SINGH S/O GANDHI PRASAD SINGH R/O VILLAGE- MIRCHADANGI, PS. SIJWA DIST. MARANG (NEPAL)
2. KIRAN KUMAR SINGH S/O JHAGRU LAL SINGH R/O VILLAGE- MIRCHADANGI, PS. SIJWA DIST. MARANG (NEPAL)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners seek bail in connection with Special Case No. 230 of 2023 arising out of Fatehpur P.S. Case No. 08 of 2023 dated 13.04.2023 registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise Act.

3. The allegation against the petitioners is that on search 38.520 litres of illicit Nepali Liquors of various descriptions were recovered from the motorcycle which was kept in three cartoons.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this



case. The allegation leveled against the petitioners in the F.I.R. is totally false and concocted. The said liquor was not recovered from the motorcycle which was possessed by the petitioner no. 1, who is the owner of the said motorcycle. It is submitted that no incriminating articles has been recovered from the conscious possession of the petitioner. The petitioners are in custody since 13.04.2023, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with each two sureties of the like amount each to the satisfaction of the learned Additional District Judge-II-cum Special Judge (Excise)-I, Kishanganj in connection with Special Case No. 230 of 2023 arising out of Fatehpur P.S. Case No. 08 of 2023.

(Khatim Reza, J)

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