

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43989 of 2023

Arising Out of PS. Case No.-285 Year-2023 Thana- SABAUR District- Bhagalpur

1. Mithun Kumar Son Of Jai Kishore Sah @ Jay Kishor Shah Resident Of Village- Milki, Ps- Naugachhia, Distt- Bhagalpur
2. Ravindra Kumar Mandal @ Rabindra Kumar Mandal Son Of Late Digambar Mandal Resident Of Village- Chand Nagar, Ps- Naugachhia, Distt- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s	:	Mr.Suman Kumar, Advocate
For the Opposite Party/s	:	Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-07-2023 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 Sabour P.S. Case No. 285 of 2023 dated 24.05.2023 registered for the offences punishable u/ss 272, 273, 419, 420 of the Indian Penal Code and u/s 30(a), 32(i) (ii), 41 of the Bihar Prohibition and Excise Act.

As per the prosecution case, 86.85 litres of illicit India made foreign liquor was recovered from a Toto vehicle which was kept beneath the passenger seat. The petitioners were apprehended from the spot. It is further alleged that the petitioners are engaged in illicit business of liquor.



Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the petitioner no. 1 was driving the said vehicle and the petitioner no. 2 is the owner of the said vehicle and they have no knowledge with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have got clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 25.05.2023.

Learned A.P.P. for the State has 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, Bhagalpur in connection with Sabour P.S. Case No. 285 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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