

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46430 of 2023

Arising Out of PS. Case No.-177 Year-2023 Thana- PHULWARIYA District- Gopalganj

1. Govind Kumar @ Gobind Kumar @ Gobind Prasad Son Of Amar Jee Prasad @ Amarjeet Prasad Resident Of Village- Chhapiya @ Chapiya, P.S.- Khampar, District- Deoria (UTTAR Pradesh)
2. Durgesh Kumar @ Durgesh Kushwaha @ Durgesh Bhagat Son Of Ramnath Kushwaha @ Ramnath Bhagat Resident Of Village- Chhapiya @ Chapiya, P.S.- Khampar, District- Deoria (UTTAR Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-08-2023 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.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners have preferred this application for grant of regular bail in connection with Phulwaria (Sripur) P.S. Case No. 177 of 2023 dated 20.05.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, 259.200 litres of illicit foreign liquor was recovered from a car. The petitioner and the



co-accused person were apprehended. It is further alleged that the petitioners were engaged in doing illegal business of liquor.

5. 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. It is further submitted that the petitioners have no concern with the alleged recovery. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 20.05.2023.

6. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

7. 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, Gopalganj in connection with Phulwaria (Sripur) P.S. Case No. 177 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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