

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47300 of 2023**

Arising Out of PS. Case No.-484 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. RAHUL YADAV @ RAHUL KUMAR YADAV Son of Birendra Prasad Yadav @ Birendra Yadav Resident of village - Baijnathpur, P.S. - Saur Bazar, Distt. - Saharsa
 2. Niraj Kumar Son of Mukesh Sharma Resident of village - Belari, P.S. - Kumarkhand, Distt. - Madheepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-08-2023 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 Kotwali (Barari) P.S. Case No. 484 of 2023 dated 25.05.2023 registered for the offences punishable u/ss 30(a), 32(i)(ii) and 41 of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, total 139.125 litres of illicit Indian made foreign liquor was recovered from a Bolero vehicle. It is further alleged that the petitioners and the co-accused



persons 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 conscious 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 27.05.2023.

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, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 484 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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