

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48422 of 2023

Arising Out of PS. Case No.-200 Year-2023 Thana- DIDARGANJ District- Patna

1. MANISH KUMAR Son of Virendra Rai @ Birendra Yadav Resident of Village - Gulamahiya Chak, Sabalpur, Police Station - Nadi, District - Patna.
2. Shambhu Kumar Son of Late Krishan Rai Resident of Village - Fatehjampur, Police Station - Nadi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 30(a)/36 of the Bihar Prohibition & Excise Act.

Prosecution case relates to recovery of 120 liters illicit liquor from a motorcycle bearing Registration No BR01DY-6826 and the petitioners are said to be apprehend on spot with the seized liquor.

Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this present



case. They have got no criminal antecedents as stated in para-3 of the petition. Petitioners have no concern with the alleged recovery of illicit liquor or with the vehicle in question. No any incriminating article has been recovered from their possession. The petitioners are languishing in judicial custody since 28.6.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioners are apprehended on spot with the alleged recovery of illicit.

The petitioners are directed to deposit a sum of **Rs 5,000/- (Five Thousand) each** in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Didarganj P.S. Case No. 200 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Patna City.

The bail bonds of the petitioners shall be accepted by the learned court below on showing the receipt of deposit of Rs.



5,000/- (Rs. Five thousand) by the each petitioner in the account
of the concerned DLSA.

(Sunil Kumar Panwar, J)

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