

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49095 of 2023

Arising Out of PS. Case No.-725 Year-2023 Thana- PHULWARISHARIF District- Patna

1. SHYAM KUMAR GUPTA SON OF SHANKAR SONI R/O RAMNAGRI SECTOR 4, P.S. -RAJIV NAGAR, DISTRICT- PATNA AT PRESENT TIKIYA TOLI, CHAYI TOLA,MUSALLAHPUR HAAT, P.S.-SULTANPUR, DISTRICT -PATNA
2. SUBHAM KUMAR SON OF DHARMENDRA SINGH RESIDENT OF VILLAGE- JYOTI PARAM COLONY, DANAPUR NARIYAL GHAT, TAKIYAPAR, PS- DANAPUR, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh
For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

- 2 04-08-2023 1. 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 A.P.P. for the State.
3. The petitioners have preferred this application for grant of regular bail in connection with Phulwari Sharif P.S. Case No. 725 of 2023 dated 19.05.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act, 2018.
4. As per the prosecution case, 70 litres of wine was



recovered from the tempo.

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. 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 vehemently 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, Patna in connection with Phulwari Sharif P.S. Case No. 725 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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