

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52056 of 2023

Arising Out of PS. Case No.-360 Year-2023 Thana- PATNA CITY CHOWK District- Patna

1. Suryadeo Rai Son Of Binda Rai @ Vinda Ray Resident Of Village - Kachhi Ghat, P.S. - Chowk, Distt. - Patna
2. Ranjeet Rai Son Of Binda Rai @ Vinda Ray Resident Of Village - Kachhi Ghat, P.S. - Chowk, Distt. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 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) Bihar Prohibition and Excise Act and Section 414 of the Indian Penal Code.

As per prosecution case, it is a case of recovery of total 104 liters illegal *mahua* liquor from three motor vehicles.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case and they



have got no criminal antecedent. Neither the petitioners were apprehended on the spot nor vehicles in question belong to them. It is further submitted that nothing incriminating article has been recovered from their conscious possession. Moreover, the petitioners are languishing in judicial custody since 27.06.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Chowk P.S. Case No. 360 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 Exclusive Special Excise Court Patna City, Patna.

(Sunil Kumar Panwar, J)

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