

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54928 of 2023

Arising Out of PS. Case No.-271 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

1. Gurbindar Singh Son Of Narendra Singh Resident Of Village - Mobarakpur, District - Moga, Punjab
2. Jitendra Singh Son Of Kawaljeet Singh Resident Of Village - Pandori Takhtmal, P.S. - Chauwal, District - Tarantaran, Punjab

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of regular bail in connection with Kuchaikote P.S. Case No. 271 of 2023 registered under sections 30(a), 32(2) and 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 1785.12 liters of country made liquor from a Truck bearing Reg. No. PB08DS9911 and these petitioners were arrested on the spot with the said vehicle. Petitioner No.1 is said to be driver and Petitioner No.2 is said to be co-driver of the said vehicle.

Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. They have falsely been implicated in this case merely on suspicion. It is further submitted that nothing incriminating has been recovered from the conscious possession of the petitioners and They have no concern with the seized illicit liquor. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 07.06.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioners have been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioners are directed to deposit a sum of Rs. 10,000/- (Rs. Ten Thousand) each in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Kuchaikote P.S. Case No. 271 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of the learned Additional District Judge-IV, Cum-Special Judge Excise Court No. II, Gopalganj.

The bail bonds of the petitioners shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 10,000/- (Rs. Ten Thousand) each by the petitioners in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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