

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59173 of 2023

Arising Out of PS. Case No.-355 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

1. Terash Pandit Son Of Jatu Pandit Village Shambhuchak Bhatwaliya, Khokhara Rajpur, Ps Kalyanpur, District East Champaran
2. Ajit Kumar Son Of Chandeshwar Ram Village Kaithwaliya, Ps Kalyanpur, District East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-10-2023 Heard learned counsel for the petitioners and learned APP for the State.

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

3. Prosecution case relates to recovery of 216 liters of illicit country made liquor from a tempo bearing Registration No. BR28G33785 and the petitioners are said to be apprehend on spot with the seized vehicle.

4. 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. Petitioners have no concern with the alleged recovery or with the vehicle in question. No any incriminating article has been recovered from their possession. Moreover, they are languishing in judicial custody since 17.7.2023.

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

6. 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 Kuchaikote P.S. Case No. 355 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 Addl. Sessions Judge-IV-cum-Special Judge, Excise, Gopalganj.

7. 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 each petitioner** in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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