

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55871 of 2023

Arising Out of PS. Case No.-635 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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1. Munmun Kumar S/O Late Rajdev Ray R/O Village- Parvejabad, Ps. Sonpur, Dist. Saran
 2. Nitish Mishra S/O Late Naval Kishor Mishra R/O Village- Karahari, Ps. Bhagwanpur, Dist. Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-09-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for bail in connection with Excise P.S. Case No. 635 of 2023 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 300 litres foreign liquor from Scorpio Vehicle bearing Reg. No. HR51AB8869. Both the petitioners were arrested on spot while driver of the said vehicle namely, Nandi Yadav managed to escape.



Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery of illicit liquor nor vehicle in question belongs to them. It is further submitted that nothing incriminating article has been recovered from their conscious possession. Petitioners are languishing in judicial custody since 21.06.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Both the petitioners are directed to deposit **Rs. 10,000/- (Rs. ten thousand)** each in the concerned DLSA.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.II, Siwan in connection with Excise P.S. Case No. 635



of 2023.

The bail bonds of the petitioners shall be accepted by the learned court below on showing receipt of deposit of **Rs. 10,000/- (ten thousand only)** each by the petitioners in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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