

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55698 of 2023

Arising Out of PS. Case No.-191 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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VIVEK KUMAR Son of Visheshwar Ray Resident of village - Chakala, P.S. -
Mohiuddin Nagar, Distt. - Samastipur

... .. petitioners/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 55790 of 2023

Arising Out of PS. Case No.-191 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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VIJAY KUMAR S/O LATE CHANDESHWAR RAI R/O VILLAGE-
GONIYARI, P.S.- DESARI, DIST.- VAISHALI

... .. petitioners/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 55698 of 2023)

For the petitioners/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 55790 of 2023)

For the petitioners/s : Mr.Sabal Kumar Jha

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a
case instituted for the offence under Sections 272/273 of the IPC
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of



total 154 liters of illegal country-made liquor from two motorcycles.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners have apprehended on spot. He submitted that the petitioners have no concern with the wine in question. No incriminating article has been recovered from the conscious possession of the petitioners. They are languishing in judicial custody since 14.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. The petitioners are directed to deposit Rs. 5,000/- (Five thousand) each in the account of concerned DLSA.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court below in connection with Mohiuddin Nagar P.S. Case No. 191 of 2023.

8. The bail bond of the petitioners shall be accepted



by the learned Court below on showing receipt of deposit of Rs.
5,000/- (Five thousand) each by the petitioners in the account of
concerned DLSA.

(Sunil Kumar Panwar, J)

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