

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57554 of 2023

Arising Out of PS. Case No.-116 Year-2023 Thana- MIRGANJ District- Gopalganj

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1. Sugriw Yadav S/O Ramnath Yadav R/O Village- Bhawani Chhapar, P.S.- Srirampur, Dist.- Dewariya (Uttar Pradesh)
 2. Birendra Mahto S/O Bhrigunath Mahto R/O Village- Mauje Akdanga, P.S.- Mirganj, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepankar Raj
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-09-2023 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.

As per prosecution case, the petitioners were apprehended on the spot along with two motorcycles and on search total 50.800 liters Banti Babli country made liquor was recovered.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. The petitioners have no concern with the alleged recovered wine and vehicle in



question bearing Reg. No. BR28G-0548 belongs to the petitioner No-2 and second vehicle bearing Reg. No. BR28Z-5197 belongs to friend of petitioner No-1. It is further submitted that nothing incriminating article has been recovered from their conscious possession. The petitioners have got no criminal antecedent. Moreover, they have been languishing in judicial custody since 04.04.2023.

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 Mirganj P.S. Case No. 116 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 concerned Court.

(Sunil Kumar Panwar, J)

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