

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59225 of 2023

Arising Out of PS. Case No.-304 Year-2023 Thana- GOPALPUR District- Bhagalpur

1. Brijnandan Kumar @ Kanhaiya Son Of Dayaand Yadav Resident Of Village - Rajajan, P.S. - Mansi, District - Khagaria
2. Dablu Yadav Son Of Hansraj Yadav Resident Of Village - Rajajan, P.S. - Mansi, District - Khagaria

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners prayed for regular bail in connection with Gopalpur Rangra P.S. Case No. 304 of 2023 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the petitioners along with a car were apprehended on the spot and from the alleged vehicle total 46.500 liters Indian Made Foreign Liquor was recovered.

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 due to high handedness of the police officials. The petitioners have no concern with the alleged recovery nor vehicle in question belongs to them. No any incriminating article has been recovered from their conscious possession. It is further submitted that the petitioners are languishing in judicial custody since 25.06.2023.

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

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

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Gopalpur Rangra P.S. Case No. 304 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.



8. 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) each** by the petitioners in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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