

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59389 of 2023

Arising Out of PS. Case No.-194 Year-2023 Thana- DURAULI District- Siwan

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1. Himanshu Kushwaha S/O Yogendra Kushwaha Village- Tikampar, Ps- Bhatpar Rani, Dist- Deoriya (UP)
 2. Bablu Jaiswal Son Of Lal Babu Jaiswal Village- Tikampar, Ps- Bhatpar Rani, Dist- Deoriya (UP)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-09-2023 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), 41(i) of Bihar Prohibition and Excise Act.

As per prosecution case, the petitioners were apprehended on the spot along with a Scorpio and upon search total 103 liters 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 recovery. The vehicle in question



belongs to petitioner No-1, while he along with his friend was returning two persons stopped the vehicle and requested for lift and they have also some cartoons and the petitioners were unaware that they are carrying liquor. It is further submitted that nothing has been recovered from their conscious possession. The petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 16.07.2023.

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 Darauli P.S. Case No. 194 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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