

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59484 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- BANNUBAGICHA District- Lakhisarai

1. Rupesh Kumar Son Of Hardeo Yadav R/O Vill - Dhadisir, P.S. - Bannubagicha, Distt. - Lakhisarai
2. Dipak Kumar Son Of Late Nandan Yadav R/O Vill - Pacham, P.S. - Kiul, Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 100 liters of country made liquor from the motorcycle of the petitioners. Petitioner No.1 is said to be driver of the said motorcycle and Petitioner No.2 is said to be pillion rider.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case merely on suspicion.



Nothing has been recovered from their conscious possession. They have no concern with the seized liquor. It is further submitted from para-8 of this petition that the alleged liquor was kept near a tree from where the petitioners were passing through by the motorcycle bearing Reg. No. BR-53F-5830 which belongs to the petitioner No.1. They have got no criminal antecedent as per para-3 of this petition. Moreover, they are languishing in judicial custody since 17.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Bannubagicha P.S. Case No. 23 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge V-cum-Exclusive Special Court-II, Excise Act, Lakhisarai.

(Sunil Kumar Panwar, J)

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