

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62328 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- NAUTAN District- Siwan

1. Pankaj Yadav Son Of Haridev Chaudhari @ Hardev Chaudhari Resident Of Village- Surwaniya, Ps- Mirganj, Dist- Gopalganj
2. Sandeep Kumar Gond Son Of Santosh Gond Resident Of Village- Pachfera, Resident Of Village- Ps- Meerganj, Distt- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-10-2023 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 & Excise Act.

3. Prosecution case relates to recovery of 333.8 liters of illicit liquor from a four wheeler vehicle bearing Registration No. BR01FT-9705 and the petitioners are said to be apprehend on spot with the seized vehicle.

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. They have got no criminal antecedent as stated in para-3 of the bail petition. Petitioners have no concern with the alleged recovery of liquor or with the vehicle in question. No any incriminating article has been recovered from their possession. Moreover, they are languishing in judicial custody since 20.7.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioners are apprehended on spot with the alleged recovery of illicit.

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, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Nautan P.S. Case No. 135 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 Exclusive Special Excise Court No.2nd, Siwan.

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) by the each petitioner in the
account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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