

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60233 of 2023

Arising Out of PS. Case No.-533 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Kundan Kumar S/O Arun Kumar R/O Village- Kasturi Bigaha, Ps. Kashichak, Distt. Nawada
2. Purshottam Kumar S/O Yadunandan Prasad R/O Village- Bishunpur, Ps. Ben, Distt. Nalanda
3. Sahdev Prasad S/O Lalan Prasad R/O Village- Bhadean, Ps. Dhobahha Op, Distt. Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Section 414 of the IPC and Sections 30(a), 47 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of 342 liters of illegal liquor from two Cars, which was being driven by the petitioner no. 1.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners were apprehended on



spot. He submitted that the petitioners have no concern with the seized liquor. Nothing incriminating article has been recovered from the conscious possession of the petitioners. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. The trial of this case is triable by learned Judicial Magistrate. They are languishing in judicial custody since 28.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. The petitioner no. 1 is directed to deposit Rs. 10,000/- (ten thousand) in the account of concerned DLSA.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Spl. Judge Excise No. 1-cum- A.D.J.- IV, Kaimur at Bhabhua in connection with Mohaniya P.S. Case No. 533 of 2023.

8. The bail bond of the petitioner no. 1 shall be accepted by the learned Court below on showing receipt of



deposit of Rs. 10,000/- (ten thousand) by the petitioner no. 1 in
the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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