

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63659 of 2023

Arising Out of PS. Case No.-312 Year-2023 Thana- BANIAPUR District- Saran

1. Krishna Chaudhary Son Of Lal Babu Chaudhary Village- Narayan Tola, Ps- Baniyapur, Dist- Saran
2. Sunita Devi Wife Of Krishna Chaudhary Village- Narayan Tola, Ps- Baniyapur, Dist- Saran
3. Dhanlal Chaudhary Son Of Krishna Chaudhary Village- Narayan Tola, Ps- Baniyapur, Dist- Saran
4. Rohit Kumar Son Of Krishna Chaudhary Village- Narayan Tola, Ps- Baniyapur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners prayed for regular bail in connection with Baniyapur P.S. Case no. 312 of 2023 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 135 liters of illicit liquor behind house of the petitioners and they are said to have been indulged in illegal trade of liquor.

Learned counsel appearing on behalf of the petitioners



has submitted that petitioners are innocent and have committed no offence. They has falsely been implicated in this present case. Petitioners have no concern with the alleged recovery or with the place of occurrence. No any incriminating article has been recovered from their possession. It is further submitted that the petitioners are languishing in judicial custody since 20.7.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Baniyapur P.S. Case No. 312 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 Addl. District & Sessions Judge 2nd cum-1st Exclusive Special Excise Court, Saran at Chhapra.

(Sunil Kumar Panwar, J)

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