

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62660 of 2023

Arising Out of PS. Case No.-328 Year-2023 Thana- DHAKA District- East Champaran

1. Jitendra Kumar Son Of Gajendra Sah Resident Of Village- Yadopur Pakri, Ps- Dhaka, Dist- East Champaran
2. Vikram Kumar Son Of Bulai Sah Resident Of Village- Shreepur, Kasba, Ps- Ghorasahan, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners prayed for regular bail in connection with Dhaka P.S. Case no. 328 of 2023 instituted for the offence under Sections 414/34 of the I.P.C. and sections 30(a), 41(i) of the Bihar Prohibition and Excise Act.

3. Prosecution case relates to recovery of total 270 liters of country made liquor from a car bearing Registration no. DL4C-AH-2433 and the petitioners are said to have apprehended on spot.

4. 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 of illicit liquor. The seized car is not a stolen property rather the same has been purchased by petitioner no.2 from one Pappu Kumar on 14.5.2023 which is stated in para 7 of the bail petition. No any incriminating article has been recovered from their possession. Moreover, they are languishing in judicial custody since 17.6.2023.

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

6. 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 Dhaka P.S. Case No. 328 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 Court No.1, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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