

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65530 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- Excise P.S. District- Samastipur

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1. Sarvesh Kumar Jha S/O Arun Jha Village Barahgama, Ps- Khanpura, Dist- Samastipur
 2. Umesh Kumar Son Of Rameshwar Mahto Village- Dekari, Ps- Khanpura, Dist- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 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 sections 30(a) of the Bihar Prohibition & Excise Act.

3. Prosecution case relates to recovery of total 91 liters of illicit liquor from two vehicles and the petitioners are said to have been apprehended on spot.

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. Petitioners have no concern with the alleged recovery or with the vehicles



in question. No any incriminating article has been recovered from their conscious possession. The petitioners are languishing in judicial custody since 31.7.2023.

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

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. 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 Rosera Excise P.S. Case No. 50 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 Spl Judge Excise-II, Samastipur.

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 each petitioner** in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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