

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66340 of 2023

Arising Out of PS. Case No.-213 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

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1. Golu Thakur @ Anish Prakash Thakur S/O Shankar Thakur @ Jata Prakash Thakur R/O Samastipur, P.S- Town, Distt.- Samastipur.
 2. Amar Ankit S/O Sanjay Kumar Mishr R/O Village- Maheshpur, P.S- Piar, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. Learned counsel for the petitioners submits that due to mistake in the typing, the name of district mentioned in the address of the petitioner no.2 has been wrongly typed as Samastipur in place of Muzaffarpur.

3. As such, counsel for the petitioners is directed to correct the same in course of the day.

4. The petitioners seek regular bail in connection with Dumariyaghat P.S. Case No. 213 of 2023 lodged under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, the total 199.540 liter of wine has alleged to be made, which is subject matter of the present case.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He

submits that the alleged recovery has been made from a car Honda City and petitioners were apprehended from the said car. He submits that petitioners are in custody since 27.07.2023 having clean antecedent.

5. Counsel further submits that the innocence of the petitioners shows by this fact that he was sitting in the said car and wine was there. Counsel submits that they were completely unaware of this fact and under conspiracy, they were arrested.

6. Learned counsel for the State opposes the prayer for bail and submits that admittedly, the recovery has been made from the said vehicle on which they were sitting.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioners. Therefore, the bail application of the petitioners is hereby rejected directing the Trial Court to release them on bail after framing of charge imposing its own condition so that they may not evade their appearance during trial.

(Dr. Anshuman, J.)

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