

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65870 of 2023

Arising Out of PS. Case No.-573 Year-2023 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Golu Kumar Son Of Chandrama Singh Resident Of Village-Motha, Ps-Karakat, Distt- Rohtas
2. Jitendra Kumar Son Of Ramanand Singh Resident Of Village-Motha, Ps-Karakat, Distt- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malti Kumari

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Excise P.S. Case No. 573 of 2023 registered under sections 30(a)&32(3) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 86.010 liters of foreign made liquor from a car and the petitioners were arrested by the police on spot.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted



that nothing incriminating has been recovered from the conscious possession of the petitioners and they have no concern with the seized illicit liquor. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 26.08.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioners were arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioners are directed to deposit a sum of Rs. 5,000/- (Rs. Five Thousand) each in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Excise P.S. Case No. 573 of 2023 each of them on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Kaimur at Bhabua.



The bail bonds of the petitioners shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five Thousand) each by the petitioners in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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