

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67586 of 2023

Arising Out of PS. Case No.-1759 Year-2023 Thana- Excise P.S. District- East Champaran

1. Gopi Kumar @ Gopi Kumar Ram Son Of Suresh Ram Resident Of Village- Mathiya Zirat, Ps- Chhatauni, Distt- East Champaran , Motihari
2. Karan Kumar Son Of Arun Ram Resident Of Village- Mathiya Zirat, Ps- Chhatauni, Distt- East Champaran , Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act.

3. According to the prosecution case, the petitioners are alleged to have been apprehended while they were trying to escape after seeing the police party. From place of occurrence, 150 liters of illicit foreign liquor were seized.

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 or with the place of occurrence. No any incriminating article has been recovered from their conscious possession. It is further submitted that the petitioners are languishing in judicial custody since 16.8.2023.

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

6. 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 Motihari Excise P.S. Case No. 1759 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 Exclusive Special Excise Court No.2, Motihari at East Champaran.

(Sunil Kumar Panwar, J)

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