

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67682 of 2023

Arising Out of PS. Case No.-1492 Year-2023 Thana- Excise P.S. District- Gaya

1. Prem Kumar Son Of Binod Roy Alias Vinod Ray Resident-Mohalla-Munna Chak, Lohiya Nagar Ward No 44 Kankarbagh, P.S. Patrakar Nagar, District-Patna.
2. Manjeet Kumar S/O Rama Kant Sharma @ Ramashish Ram Resident-Mohalla-Bettiah Bus Stand, Durga Nagar, Ward No. 32, P.O. Muffasil, District-West Champaran (BETTIAH)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Excise P.S. Case No. 1492 of 2023 dated 22.08.2023 registered for the offences punishable u/s 30(a), 56(b) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 117 litres of foreign liquor was recovered from a Scorpio.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. The petitioner no. 1 is the driver and the petitioner no. 2 is the co-driver of the said vehicle. The petitioners have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 23.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Excise P.S. Case No. 1492 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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