

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67819 of 2023

Arising Out of PS. Case No.-634 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Chandan Kumar, Son Of Rajesh Prasad Resident Of Village - Milkpar, Police Station - Ekangar Sarai, District - Nalanda
2. Nitish Kumar, Son Of Ramsevak Paswan Resident Of Village - Dwarika Bigha, Police Station - Hilsa, District - Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

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

2. The petitioners have preferred this application for grant of regular bail in connection with Mohania P.S. Case No. 634 of 2023 dated 04.09.2023 registered for the offences punishable u/s 414 of the Indian Penal Code and u/ss 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the petitioners were apprehended with Honda City car and playing role of liner for Bolero pick-up van and from the said pick-up van, 201.9 litres of illicit liquor was recovered.

4. Learned counsel for the petitioners has submitted



that the petitioners are innocent and have falsely been implicated in this case. The petitioners are neither the owner nor the driver of the said vehicle. Nothing has been recovered from the possession of the petitioners and the petitioners have no concern with the alleged recovery. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 05.09.2023.

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

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-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabhua in connection with Mohania P.S. Case No. 634 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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