

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70414 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- KALER District- Jehanabad

1. Om Prakash Mandal Son Of Bechan Mandal R/O Vill - Gargama, P.S. - Fulparas, Distt. - Madhubani, At Present R/O Gayghat, P.S. - Maharganj, Distt. - Patna
2. Yogesh Kumar @ Pintu Son Of Navin Kumar Gupta R/O Vill - Sultanpur, P.S. - Danapur, Distt. - Patna

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have filed the instant application for grant of regular bail in connection with Kaler P.S. Case No. 124 of 2023 registered under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 184.2 liters illegal liquor from a Maruti Swift and the petitioners were also apprehended on the spot.

Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case merely on suspicion. 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. It is also submitted that the petitioners are not the owner of the said vehicle. The petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 22.08.2023.

The application for bail is opposed by learned APP for the State.

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 Kaler P.S. Case No. 124 of 2023 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 Special Judge-II, Excise Jehanabad.

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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