

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70063 of 2023

Arising Out of PS. Case No.-424 Year-2023 Thana- BARUN District- Aurangabad

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1. DIPU KUMAR CHOUBEY @ DIPU KUMAR S/O SHAMBHU NATH CHOUBEY RESIDENT OF VILLAGE- RANADIH, P.S- KANDI, DISTRICT- GADHWA (JHARKHAND).
 2. NIRAJ KUMAR PANDEY S/O KRISHNA MOHAN PANDEY RESIDENT OF VILLAGE- RANADIH, P.S- KANDI, DISTRICT- GADHWA (JHARKHAND).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of 216 liters of illegal liquor from a Car, which was being driven by the petitioner no. 1.

4. It is submitted by learned counsel for the petitioners



that petitioners have been falsely implicated in this case. They have committed no offence. Petitioners were apprehended on spot. He submitted that the petitioners have no concern with the seized liquor. Nothing incriminating article has been recovered from the conscious possession of the petitioners. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 07.09.2023.

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

6. The petitioner no. 1 is directed to deposit Rs. 5,000/- (Five thousand) in the account of concerned DLSA.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Barun P.S. Case No. 424 of 2023.

8. The bail bond of the petitioner no. 1 shall be accepted by the learned Court below on showing receipt of



deposit of Rs. 5,000/- (Five thousand) by the petitioner no. 1 in
the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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