

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74178 of 2023

Arising Out of PS. Case No.-312 Year-2023 Thana- PHULWARIYA District- Gopalganj

1. Shailesh Kumar Son Of Hakim Singh R/O Village- Baniyachhapar, P.S.- Phulwariya, District- Gopalganj
2. Santosh Singh Son Of Late Ramchandrar Singh R/O Village- Jhataha, P.S.- Phulwariya, Dist.- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 29-11-2023 Heard the learned counsel for the petitioners and learned APP for the State.

2. Let the defect(s), if any, be removed within a period of four weeks from today.

3. The petitioners seeks bail in connection with Phulwariya P.S. Case No. 312 of 2023 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise (amendment) Act, 2018.

4. As per the prosecution case, 64 liters of country made liquor has been recovered from the possession of the petitioner.

5. Learned counsel for the petitioners submits that



the petitioners are innocent and have falsely been implicated in this case and nothing has been recovered from the conscious possession of the petitioners.

6. Learned counsel for the petitioners further submits that the petitioners have offered to pay Rs. 10,000/- each in charitable organization without accepting their guilt.

7. Learned counsel for the petitioners also submits that the petitioners are in custody since 02.09.2023.

8. Learned A.P.P. has vehemently opposed the prayer for bail.

9. Considering the aforesaid facts and the period of custody, this application for regular bail is allowed.

10. Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Excise-I, Gopalganj in connection with Phulwariya P.S. Case No. 312 of 2023.

11. This is also subject to the condition that the petitioners shall deposit a sum of Rs. 10,000/- each in Ram Krishna Mission Ashram, Chhapra and will produce the receipt of the same at the time of furnishing his bail bonds in the Court



below and the bail bonds of the petitioners shall be accepted after verifying the genuineness of the receipt produced by the petitioners.

12. After being released on bail, the petitioners will mark their attendance at Phulwariya Police Station on the first Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioners.

(Sandeep Kumar, J)

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