

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71943 of 2023

Arising Out of PS. Case No.-290 Year-2018 Thana- MANJHI District- Saran

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1. SANJAY PRASAD son of Late Gaurishankar Prasad Village- Noon Nagar Ps- Jalalpur Dist- Saran
 2. Bihari Prasad son of Late Gaurishankar Prasad Village- Noon Nagar Ps- Jalalpur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avnish Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 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 Sections 188, 420, 272, 273, 120B of the IPC and Sections 30, 30(a) and 38 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of 3013 liters of illegal foreign liquor from a truck.

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 not apprehended on spot. The name of the petitioners have come into light, on the



basis of confessional statement of co-accused, who apprehended on spot. He submitted that the petitioners have no concern either with the seized vehicle or with the wine in question. He submitted that the co-accused on whose confession the name of the petitioners have come into light have already been granted bail by a Co-ordinate Bench vide order dated 17.01.2019 passed in Cr. Misc. No. 2347 of 2019. They are languishing in judicial custody since 09.09.2023.

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

6. 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 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Manjhi P.S. Case No. 290 of 2018.

(Sunil Kumar Panwar, J)

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