

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72586 of 2022

Arising Out of PS. Case No.-131 Year-2022 Thana- MADHWAPUR District- Madhubani

1. SONU KUMAR @ MD. NISHAR @ MD NASIR, aged about 19 years, S/o Mangal @ Neyaz Ahmad R/v- Talbari, P.S.- Mithila University, District- Darbhanga
2. ROHIT KUMAR, aged about 20 years, S/o Pramod Yadav R/v- Laxmi Sagar, J.P. Chowk, P.S.- Mithila University, District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr.Shyam Bihari Singh, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioners and the learned APP for the State.

2. Petitioners seek regular bail in connection with Madhwapur P.S. Case No. 131 of 2022 dated 15.09.2022 registered for the offence(s) punishable under Section(s) 272, 273, 414/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the allegation, 1485 litres of illicit Nepali liquor was recovered from a pick-up van.

4. The main submissions advanced by the learned counsel for the petitioners are that the owner of the alleged vehicle, namely, Pramod Sahni from which the recovery of the



alleged wine was made, has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.64530 of 2022 and as per FIR, petitioners are very young persons having fair and clean antecedent.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions and mainly petitioners' young age as appears from the FIR and they are stated to be 19 years and 20 years old having fair and clean antecedent and they have been languishing in jail since 16.09.2022, in the opinion of this Court a lenient approach can be taken in respect of the petitioners' prayer, let the petitioners be released on bail **after framing of charge, if the same has not been framed,** in connection with Madhwapur P.S. Case No. 131 of 2022 on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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