

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74430 of 2023

Arising Out of PS. Case No.-1280 Year-2023 Thana- Excise P.S. District- Patna

1. Rakesh Chaudhary S/O Late Rajendra Chaudhary R/O Village- Khempur, P.S- Kadhawa, Distt.- Katihar.
2. Murari Kumar S/O Bharat Sah R/O Village- Jawgawa, P.S- Jagapatti, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners prayed for regular bail in connection with Excise P.S. Case no. 1280 of 2023 instituted for the offence under Sections 30(a) & 56(6) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 711 liters illicit liquor from a truck bearing Registration no. PB65BA-8431.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They has falsely been implicated in this present



case. They have got no criminal antecedent. Petitioners are driver and cleaner and they have no concern with the alleged recovery or with the place of occurrence. No any incriminating article has been recovered from their possession. The petitioners are languishing in judicial custody since 9.8.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Patna Excise P.S. Case No. 1280 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise court no.3, Patna.

(Sunil Kumar Panwar, J)

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