

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73610 of 2022

Arising Out of PS. Case No.-310 Year-2022 Thana- BIHIA District- Bhojpur

1. VIKASH SINGH Son of Rambihari Singh R/V- Jhawan, P.S- Bihiyan, Dist- Bhojpur
2. Jitendra Kumar Singh Son of Krishna Singh R/V- Dularpur, P.S- Pihani, Dist- Hardoi (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners prayed for regular bail in connection with Bihiyan P.S. Case no. 310 of 2022 instituted for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 24 cartoons containing 48 pieces in which total 207.16 liters English wine from a car bearing Reg. No. DL9CQS-7668.

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



in this present case merely on the basis of suspicion. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery or with the place of occurrence. No any incriminating articles have been recovered from their possession. It is further submitted that there is no independent eye witness of the seizure list. The petitioners are languishing in judicial custody since 11.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioners were arrested o the spot with liquor which is huge in quantity.

The petitioners are directed to deposit a sum of Rs 10,000/- (Ten Thousand each) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case and judicial custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Bihiyan P.S. Case No. 310 of 2022 on furnishing bail bond of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court,-I, Bhojpur (Ara).

The bail bonds of the petitioners shall be accepted by



the learned court below on showing the receipt of deposit of
Rs. 10,000/- (Rs. Ten thousand each) by the petitioners in the
account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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