

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79053 of 2023

Arising Out of PS. Case No.-456 Year-2023 Thana- BARAUNI District- Begusarai

1. Gangadhar Kumar @ Ganga S/O Arun Yadav Village- Kejri, Ps. Beldaur, Dist. Khagaria
2. Murari Kumar S/O Wakil Yadav @ Wakil Yadav Village- Kejri, Ps. Beldaur, Dist. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar
For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have prayed for bail in a case registered for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 146.900 litres of cough syrups from a car bearing Reg. No. BR-34R-7436. Petitioner No. 1 is driver and petitioner No. 2 is sitting in the seized car and they were apprehended on



spot.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and has committed no offence. They have no concern with the alleged recovery. Nothing incriminating has been recovered from their conscious possession. There is no independent witness of the alleged seizure. Moreover, the petitioners are languishing in judicial custody since 01.09.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail **after framing of charge, if not framed**. The above named petitioners are directed to be enlarged on bail **after framing of charge, if not framed** 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 Exclusive special Judge Excise
I, Begusarai in connection with Barauni P.S. Case No.
456 of 2023.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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