

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80974 of 2023

Arising Out of PS. Case No.-403 Year-2023 Thana- NAUTAN District- West Champaran

1. Brijnath Yadav S/O Sudama Yadav Village- Dakshin Telhua Brahmtola, Ps. Nautan, Dist. West Champaran.
2. Rajesh Kumar @ Rajesh Yadav S/O Saral Yadav Village- Naurahi, Ps. Nautan, Dist. West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2023 Heard learned counsel for the petitioners and
learned APP for the State.

The petitioners have prayed for bail in connection with Nautan P.S. Case No. 403 of 2023 registered for the offence punishable under Section 414 of the I.P.C. and Section 30(a) of Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 34.560 litres of U.P. made foreign liquor from a motorcycle bearing Reg. No. BR22AQ-1776 and 259.200 liters of Kingfisher beer was recovered from Wagon R vehicle bearing Reg. No. DL7CH-3895. Both the petitioners were arrested on spot.

Learned counsel appearing on behalf of the



petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have got no criminal antecedent. Petitioners have no concern with the alleged recovery nor vehicles in question belongs to them. It is further submitted that nothing incriminating article has been recovered from their conscious possession. Petitioners are languishing in judicial custody since 20.09.2023.

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

Both the petitioners are directed to deposit Rs. **5,000/- (Rs. Five thousand)** each in the concerned DLSA.

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. 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 Exclusive Special Judge Excise-1, Bettiah, West Champaran in connection with Nautan P.S. Case No.403 of 2023.

The bail bonds of the petitioners shall be accepted



by the learned court below on showing receipt of deposit of
Rs. **5,000/- (Five thousand only)** each by the petitioners in
the account of concerned DLSA. ss

(Sunil Kumar Panwar, J)

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