

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81788 of 2023

Arising Out of PS. Case No.-239 Year-2023 Thana- YADOPUR District- Gopalganj

1. Mahamd Kashim @ Md. Kasim @ Kasim Ali @ Kasim Alee Son Of Kush Mahammad R/O Village- Musehari, P.S.- Jamo Bazar, District- Siwan
2. Sanatosh Rai @ Santosh Rai Son Of Dudh Nath Rai R/O Village- Musehari, P.S.- Jamo Bazar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Irshad Ahmad Khan

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Jadopur P.S. Case No. 239 of 2023 registered under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 81 liters of country made liquor from a scooty bearing Reg. No. BR-29P-0971.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. They



have no concern with the seized liquor. There is no independent witness of the seizure list rather they are police personnel. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 04.10.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Jadopur P.S. Case No. 239 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Ind-cum-Special Judge Excise-I, Gopalganj.

(Sunil Kumar Panwar, J)

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