

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82408 of 2023

Arising Out of PS. Case No.-270 Year-2023 Thana- LAUKAHA District- Madhubani

1. VIDYASAGAR DAS SON OF SRI RAMAVATAR DAS R/O VILLAGE-KACHNARVA, P.S.- LAUKAHI, P.O.- BELAHI BHAWANIPUR, DIST.-MADHUBANI
2. RAMVILAS MUKHIYA SON OF SRI RAM PRIT MUKHIYA R/O WARD NO. 11, DHOBIYAHI, P.O.- KARHARI, P.S.- LAUKAHI, DIST.-MADHUBANI
3. PRAVIN RAM SON OF RAM BABU RAM R/O VILLAGE-DHOBIYAHI, WARD NO. 10, P.O.- KARHARI, P.S.- LAUKAHI, DIST.-MADHUBANI
4. YOGENDRA SAH SON OF LATE RAJENDRA PRASAD SAH R/O VILLAGE- DHOBIYAHI, P.O.- KARHARI, P.S.- LAUKAHI, DIST.-MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of regular bail in connection with Laukaha P.S. Case No. 270 of 2023 registered under sections 272, 273, 34 of the Indian Penal Code 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 390 liter illegal Nepali liquor from a motorcycle and the petitioners were also apprehended on the spot.



Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted that nothing incriminating article has been recovered from the conscious possession of the petitioners and they have no concern with the seized illicit liquor. There is no independent witness of the seizure list. Moreover, they are languishing in judicial custody since 04.10.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioners have been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioners are directed to deposit a sum of Rs. 5,000/- (Rs. Five Thousand) each in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the 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 Laukaha P.S. Case No. 270 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each



to the satisfaction of the learned Special Judge, Excise,
Jhanjharpur, Madhubani.

The bail bonds of the petitioners shall be accepted by
the learned lower Court below on showing the receipt of deposit
of Rs. 5,000/- (Rs. Five Thousand) by each petitioners in the
account of concerned DLSA.

(Sunil Kumar Panwar, J)

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