

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82404 of 2023

Arising Out of PS. Case No.-712 Year-2023 Thana- Excise P.S. District- Buxar

1. Abhinash Kumar Son Of Arun Singh R/O Vill - Sukha Nagar, P.S. - Pratapganj, Distt. - Supaul
2. Shunny Sinha Son Of Late Ajay Sinha R/O House No. 40, Bagan No. 07, Neem Wala Chauk, P.S. - Firozpur Cantt., Distt. - Firozpur (Punjab)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shaishav Kumar

For the Opposite Party/s : Mr. Gulnar Begum

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 Buxar Excise P.S. Case No. 712 of 2023 registered under section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 81 liters illegal foreign made liquor from a vehicle 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 merely on suspicion. It



is further submitted that nothing incriminating has been recovered from the conscious possession of the petitioners and they have no concern with the seized illicit liquor. It is also submitted that the petitioners are not the owner of the said vehicle. There is no independent witness of the seizure list. The petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 20.10.2023.

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 Buxar Excise P.S. Case No. 712 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-II Buxar.

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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