

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5328 of 2024

Arising Out of PS. Case No.-305 Year-2023 Thana- BARSOI District- Katihar

1. Aminul Islam @ Sonu S/O Abul Hasim @ Abdul Hasim R/O Raghunathpur, Ps. Barsoi, Distt. Katihar.
2. Vishal Mandal S/O Chhotu Mandal R/O Raghunathpur, Ps. Barsoi, Distt. Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with Barsoi (Sudhani O.P.) P.S. Case No. 305 of 2023, lodged on 21.09.2023 under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 72 litres of illicit foreign liquor was recovered from a tempo which is the subject matter of the present case.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that the petitioners are alleged to be the



driver and *khalasi* of the said tempo. Counsel also submits that the antecedent of the petitioners is clean and they are in custody since 21.09.2023. Counsel further submits that it is the passenger who has done some wrong about which the petitioners were not aware.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances of this case and the submissions made above considering the antecedent of the petitioners, **let the petitioners above named, be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Exclusive Excise Court No.2, Katihar in connection with Barsoi (Sudhani O.P.) P.S. Case No. 305 of 2023.

(Dr. Anshuman, J.)

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