

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5079 of 2024

Arising Out of PS. Case No.-698 Year-2023 Thana- BRAHMPUR District- Buxar

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1. Bhim Raj Yadav S/O Shri Bhagwan Yadav R/O Village- Balua, P.S- Brahmpur, Distt.- Buxar.
 2. Bishal Yadav @ Vishal Yadav S/O Shri Bhagwan Yadav R/O Village- Balua, P.S- Brahmpur, Distt.- Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under section 30(a), of the Bihar Prohibition and Excise Act.

3. As per FIR, prosecution case relates to recovery of total 95.04 liter English wine from the motorcycle of the petitioners.

4. 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 present case. The petitioners have no



concern with the alleged recovery nor motorcycle in question belongs to them rather it is registered in the name of their brother-in-law. No any incriminating article has been recovered from conscious possession of the petitioners. It is further submitted that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 26.11.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Brahmpur P.S. Case No. 698 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge Court-II, Buxar.

(Sunil Kumar Panwar, J)

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