

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16931 of 2024

Arising Out of PS. Case No.-1 Year-2021 Thana- CHARPOKHARI District- Bhojpur

1. Amarendra Kumar Singh @ B P Mandal S/o Late Ghamri Singh R/o Vill - Dulaur Tola (Semraon), P.S. - Charpokhari, Dist. - Bhojpur
2. Ravi Ranjan Kumar S/o Amrendra Kumar Singh @ B. P. Mandal R/o Vill - Dulaur Tola (Semraon), P.S. - Charpokhari, Dist. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Charpokhari P.S. Case No. 01 of 2021 dated 01.01.2021 registered for the offences punishable u/ss 420, 379 read with Section 34 of the Indian Penal Code and u/s 30(a)/ 38 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1230.12 litres of illicit English liquor was recovered from the house as well as from the vehicle of the petitioner. It is further alleged that the petitioners have engaged in illegal business of liquor.



4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioner no. 2 is the son of the petitioner no. 1 and they have no concern with the alleged recovery. The recovery has been made from under construction house which is an open place and accessible to anyone. The petitioner is not the owner of the said vehicle and the same was not being driven by the petitioner at the time of the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners hence, no case is made out. The co-accused person has already been granted anticipatory bail by this court vide order dated 05.01.2024 passed in Cr. Misc. No. 79464 of 2023. The petitioner no. 1 has two criminal antecedent whereas the petitioner no. 2 has one criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 25.08.2023.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with



two sureties of the like amount each to the satisfaction of learned Court concerned, Bhojpur at Ara in connection with Charpokhari P.S. Case No. 01 of 2021.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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