

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18173 of 2024**

Arising Out of PS. Case No.-603 Year-2023 Thana- CHHATAUNI District- East Champaran

1. Om Prakash Sah S/o Ramekbal Sah R/o vill - Gawandri, P.S. - Kundwachainpur, Distt. - East Champaran
2. Anoj Gupta @ Ravi Gupta S/o Late Gandhi Sah R/o vill - Kopa, P.s. - Kopa, Distt. - Saran (Chhapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA**

ORAL ORDER

2      12-03-2024                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are seeks bail in connection with Chhatauni P.S Case No. 603 of 2023 registered for the offences punishable under Sections 30(a), 32(2), (3), 36, 41(1) (2) of the Bihar Prohibition and Excise Act, 2016.

3. It is a case of recovery of total 195.09 litres of foreign liquor.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioners. It is next submitted



that similarly situated co-accused has already granted bail by the Co-ordinate Bench of this court vide order dated 06.03.2024 passed in Cr. Misc. No. 15847 of 2024. It is also submitted that petitioner is in judicial custody since 03.01.2024.

5. However, learned APP for the State opposes the prayer for regular bail of the petitioners.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Excise Judge- 1, East Champaran at Motihari, in connection with Chhatauni P.S Case No. 603 of 2023.

**(Ramesh Chand Malviya, J)**

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