

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33505 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- SHIVAJINAGAR District- Samastipur

1. Lal Babu Prasad S/o Ramashray Mahto R/o vill - Madhu Tola, P.S. - Khanpura, Distt. - Samastipur
2. Amarjit Kumar @ Amarjeet Kumar S/o Sitaram Mahto @ Seetaram Mahto R/o vill - Ranjitpur, P.S. - Khanpura, Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Adv.

For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-05-2024 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 Shivajinagar P. S. Case No. 05 of 2024 dated 14.03.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 17.280 litres of illicit foreign liquor was recovered from the Santro Car.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are neither the owner nore the driver of the said vehicle and the same was not being



driven by the petitioners at the time of the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. It is further submitted that the petitioners have no concern with the alleged recovery. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 15.03.2024.

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, Samastipur in connection with Shivajinagar P.S. Case No. 05 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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