

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35381 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- Excise P.S. District- East Champaran

1. Bharat Kumar Son of Shiv Sahani Resident of Village - Majhar, P.S.- Pakaridayal, District - East Champaran.
2. Ashok Kumar Son of Shiyalal Sahani Resident of Village - Majhar, P.S.- Pakaridayal, District - East Champaran.
3. Rakesh Kumar Son of Nanhak Sahani Resident of Village - Majhar, P.S.- Pakaridayal, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioners and
learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Excise (Madhuban) P.S Case No. 154 of 2024 dated 08.04.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 54 litres of illicit Indian made foreign liquor kept in two bags tied on the motorcycle, 50 litres of spirit and other materials like empty bottles, bottle's cap, stickers and a motorcycle were recovered



from Sareh, Dhab.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The said recovery was made from an open place that is accessible to anyone. Nothing has been recovered from the conscious possession of the petitioners. The petitioners has no concern with the alleged recovery. The petitioners have no criminal antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 09.04.2024.

5. Learned A.P.P. for the State has vehemently 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, East Champaran, Motihari in connection with Excise (Madhuban) P.S Case No. 154 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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