

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36201 of 2024

Arising Out of PS. Case No.-380 Year-2024 Thana- Excise P.S. District- Purnia

1. Mubarak Hussain @ Md Mubarak Hussain Son of Abdul Mannan R/O Baawan Pattar ward no. 14, P.S.- Dalkhola, District- Uttar Dinajpur (W.B)
2. Aizan Alam @ Md Aizan Alam Son of Md Habib Alam R/O Vill.- Khajanchi Hat Line Bazar, P.S.- K. Hat, Dist.- Purnea
3. Md Akbar Son of Md Shamim Ansari R/O Vill.- K. Hat Line Bazar, P.S.- K. Hat(Sahayak), Dist.- Purnea

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-05-2024 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 Excise P.S Case No. 380/2024 dated 04.04.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 112.500 litres of different types of alcohol was recovered from the back seat of the tempo.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. Nothing has been recovered from the possession of the petitioners. Learned counsel has submitted that the petitioner no.1 is the passenger, the petitioner no.2 is the driver and the petitioner no. 3 is *khalasi* of the tempo. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 05.04.2024.

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, Purnea, in connection with Excise P.S. Case No. 380 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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