

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37455 of 2024

Arising Out of PS. Case No.-140 Year-2024 Thana- Excise P.S. District- Sheikhpura

1. Raju Kumar S/o Sahdev Chaurasia R/o vill - Ajini, P.s. - Ariyari, Distt. - Sheikhpura
2. Ajay Choudhary S/o Genhari Chaudhary R/o vill - Ajini, P.s. - Ariyari, Distt. - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 15-05-2024 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. 140 of 2024 dated 23.03.2024 registered for the offences punishable u/s 30(a), 32, 41, 30(c) and 56(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 24 litres of illicit country made liquor was recovered from the hut.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The name of the petitioners has



transpired in this case merely on suspicion. The petitioners have no concern with the alleged recovery rather the recovery has been made from the hut which is an open place and accessible to anyone. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 23.03.2024.

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, Sheikhpura in connection with Excise P.S. Case No. 140 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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