

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37707 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- ANDHRAMATH District- Madhubani

1. Nitish Kumar Son of Chandra Nath Yadav Resident of Village - Dudhaila, P.S.- Nirmali, District - Supaul.
2. Ram Sundar Kumar Son of Suren Yadav @ Surendera Yadav Resident of Village - Siyani Dudhaila, P.S.- Bhaptiyahi, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-05-2024 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 Andhramath P.S. Case No. 62 of 2024 dated 31.03.2024 registered for the offences punishable u/s 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 180 litres of illicit Nepali liquor was recovered from the sack which was kept on the motorcycle.

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



implicated in this case. The petitioners are not the owner of the said vehicle but the same was being driven by them at the time of the alleged recovery. The petitioners have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 01.04.2024.

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 nature of allegation against the petitioners and the period of custody, the petitioners above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani, in connection with Andhramath P.S. Case No. 62 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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