

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47225 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- PUPRI District- Sitamarhi

1. Lav Kumar Pandey Son Of Chandradev Pandey Village Halkhori, Ps- Jaleshwar, District- Mahottari (Nepal)
2. Dharmendra Yadav Son Of Ramdaresh Yadav Resident Of Village- Chakwa, Ps- Jaleshwar, District- Mahottari (Nepal)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Smiti Bharti, Adv.

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

9 23-02-2024 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 Pupri P.S. Case No. 77 of 2023 dated 19.02.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the police personnel intercepted four persons riding on the three motorcycles and apprehended them. On search, total 111.3 litres of illicit liquor was recovered from the said vehicles.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the petitioners



have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The co-accused person has already been granted regular bail by this court vide order dated 22.05.2023 passed in Cr. Misc. No. 31764 of 2023. The petitioner no. 1 has one criminal antecedent whereas the petitioner no. 2 has clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 21.02.2023.

5. Learned A.P.P. for the State has opposed the prayer of 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, Sitamarhi in connection with Pupri P.S. Case No. 77 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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