

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43462 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- Excise P.S. District- Bhojpur

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1. Manjay Kumar Son Of Ram Bali Singh Village- Ijari, P.S.- Musfsail, Distt.- Buxar
 2. Prince Kumar Yadav Son Of Baijnath Yadav Village- Mahdah, P.S.- Muffasil, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Adv

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 26-06-2024 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 Bhojpur Excise P.S. Case No. 79 of 2024 dated 03.04.2024 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 345.600 litres of illicit foreign liquor was recovered from the Mahindra XUV.

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 the petitioner no. 1 *Manjay Kumar* at the time of the alleged recovery and the petitioner no.2 *Prince Kumar Yadav* was a pillion rider. 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 03.04.2024.

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 levelled 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, Bhojpur at Ara in connection with Bhojpur Excise P.S. Case No. 79 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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