

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42263 of 2024

Arising Out of PS. Case No.-173 Year-2024 Thana- Excise P.S. District- Begusarai

1. Sunil Mahto @ Sunil Mahton Son Of Damodar Mahto Resident Of Village - Rachiyahi, Bind Toli, Ward No. 07, P.S. - Singhaul, District - Begusarai
2. Sato Rajak @ Saato Rajak Son Of Jharula Rajak @ Jhraula Rajak Resident Of Village - Rachiyahi, Bind Toli, Ward No. 07, P.S. - Singhaul, District - Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. Learned counsel for the petitioners is permitted to make necessary correction in paras 6 and 10 of the bail petition in course of the day.

3. The petitioners have preferred this application for grant of regular bail in connection with Begusarai Excise P.S. Case No. 173 of 2024 dated 22.04.2024 registered for the offences punishable under sections 30(a), 32(3) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, total 75 litres of illicit country made liquor was recovered from the possession of the petitioners who was boarded on a motorcycle.



5. 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 conscious possession of the petitioners. The petitioners have no concern with the alleged recovery. The petitioners are neither the owner nor the driver of the seized motorcycle. The petitioner no. 1 has no 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 22.04.2024.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case as well as the period of their 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, Begusarai in connection with Begusarai Excise P.S. Case No. 173 of 2024.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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