

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45124 of 2024

Arising Out of PS. Case No.-48 Year-2016 Thana- NAUTAN District- West Champaran

1. Uday Kumar, aged about 27 years, Male, S/O Raghunath Sah R/O Village- Mitha Toli, Hamram Chwok, P.S- Bettiah Town, Distt.- West Champaran.
2. Sandeep Kumar, aged about 22 years, Male, S/O Raghunath Sah R/O Village- Mitha Toli, Hamram Chwok, P.S- Bettiah Town, Distt.- West Champaran.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Sarvesh Kashyap, Advocate
For the Opposite Party	:	Mrs. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-07-2024 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 Nautan (Jagdishpur) (O.P.) P.S. Case No. 48 of 2016 dated 03.03.2016 registered for the offence punishable u/ss 467, 468, 471, 420, 307, 120B, 414, 272 and 273 of the I.P.C. and Section 47A of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 3800 litres of wine was recovered from the underground tank belonging to the co-accused person, Indrashan Sah.

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 named in the F.I.R. The name of the petitioners has sprung up in the confessional statement of the co-



accused. Nothing has been recovered from the possession of the petitioners. The co-accused person has already been granted anticipatory bail by this Court vide order dated 21.12.2023 passed in Criminal Miscellaneous No. 77831 of 2023. The petitioner no. 1 has two criminal antecedents in which he is on bail and the petitioner no. 2 has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioners are in custody since 26.04.2024.

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 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, Bettiah, West Champaran in connection with Nautan (Jagdishpur) (O.P.) P.S. Case No. 48 of 2016.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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