

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45149 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- Excise P.S. District- Bhojpur

1. Sri Kant Yadav Son of Kishun Dev Yadav Resident of Village - Shahpur, Police Station - Shahpur, District - Bhojpur.
2. Subhash Kumar @ Subhash Kumar Mahato Son of Vishwa Nath Kumar Mahto (Khalashi), Resident of Village - Shahpur, Police Station - Shahpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-07-2024 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 Excise (Piro) P.S. Case No. 58 of 2024 dated 23.05.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 150 litres of country made liquor was recovered from the dickey and under the seat of the *Tempo*.

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 and the same was not being driven by them at the time of the alleged recovery. There is general and omnibus allegation against the petitioners. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no. 1 has one criminal antecedent and petitioner no. 2 has clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 25.05.2024.

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 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 Excise (Piro) P.S. Case No. 58 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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