

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47361 of 2024

Arising Out of PS. Case No.-436 Year-2024 Thana- Excise P.S. District- Aurangabad

1. Kunal Kumar, aged about 34 years, Male, S/o Satendra Singh R/o vill - Bihata, Bhartouli, P.S. - Hasanpura, Distt. - Aurangabad (Bihar).
2. Rupesh Singh, aged about 32 years, Male, S/o Parshuram Singh R/o vill - Sonvarsa, P.S.- Obra, Distt. - Aurangabad (Bihar).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party : Mr. Rana Randhir Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-07-2024 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 Aurangabad Excise P.S Case No. 436 of 2024 dated 10.05.2024 registered for the offence punishable u/ss 30(a), 30(c), 30(d), 32(3), 36, 41(1) and 42(2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 105 litres of spirit and 170.280 litres of illicit foreign liquor were recovered from the house and the vehicle of the co-accused.

4. 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 possession of the petitioners rather the recovery has been made from the house and vehicle of the co-accused person. The petitioner no. 1 has one criminal antecedent and the petitioner no. 2 has clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 11.05.2024.

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 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, Aurangabad, in connection with Aurangabad Excise P.S Case No. 436 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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