

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46797 of 2024

Arising Out of PS. Case No.-513 Year-2024 Thana- Excise P.S. District- Jamui

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1. Md. Sohil Son of Md. Aslam Resident of House No.22, Ward No.33, Village - Hathagadh, Police Station - Kunda, District - Deoghar
 2. Vishnu Kumar Son of Nandlal Das Resident of Village - Dogachhi, P.S. - Thakurganj, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar, Adv

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-07-2024 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 Jamui Excise P.S. Case No. JAM P.S. Case 513 of 2024 dated 08.05.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 246 litres of illicit foreign liquor was recovered from the *Pick-up van*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioners are not the owner of the said vehicle. It



is further submitted that the petitioner no. 1 is the driver and the petitioner no. 2 is the co-driver of the seized vehicle at the time of the alleged recovery. 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 09.05.2024.

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 levelled against the petitioners and 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) with two sureties of the like amount each to the satisfaction of learned Court concerned, Jamui, in connection with Jamui Excise P.S. Case No. JAM P.S. Case 513 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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