

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49370 of 2024

Arising Out of PS. Case No.-142 Year-2024 Thana- KOTWA District- East Champaran

1. Arvind Yadav, aged about 32 years, Male, S/O Late Ram Naresh Yadav R/O Village- Manikaura, P.S- Padrauna, Distt.- Kushiunagar (U.P).
2. Sarfaraj Alam, aged about 30 years, Male, S/O Kamaruddin R/O Village- Pokhar Bhinda, P.S- Rampur Karkhana, Distt.- Deoria (U.P).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ratneshwar Prasad, Advocate
For the Opposite Party : Mr. Surendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 10-07-2024 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 Kotwa P.S Case No. 142 of 2024 dated 14.05.2024 registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 2583.44 litres of illicit country made liquor was recovered from the truck.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioner and the co-accused are the driver and the khalasi of the said vehicle. Nothing has been



recovered from the possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 14.05.2024.

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, East Champaran at Motihari, in connection with Kotwa P.S Case No. 142 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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