

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52589 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- BIKRAM District- Patna

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1. Rakesh Kumar S/o Vishun Sah @ Bishun Saw Resident of village Subhai,
P.S. - Hajipur Sadar, Distt - Vaishali
 2. Manjay Kumar S/o Jairam Mahto @ Jayram Mahto R/o vill - Daulatpur, P.S.
- Hajipur Sadar, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-07-2024 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 Bikram P.S. Case No. 245 of 2024 dated 18.06.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 542.2 of illicit foreign liquor was recovered from the *Bolero pick-up van*.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Petitioners are not the owner of the said seized vehicle. It is further submitted that the petitioner no. 1 is



driver and the petitioner no. 2 is the *co-driver* of the said vehicle at the time of the alleged recovery. The petitioners have no concern with 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 19.06.2024.

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, 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, Danapur, in connection with Bikram P.S. Case No. 245 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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