

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53953 of 2024

Arising Out of PS. Case No.-431 Year-2024 Thana- Excise P.S. District- Nawada

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1. JOGINDRA KUMAR S/O SURESH PRASAD R/O VILLAGE-BHAIJIBHITA, P.S- RAJAULI, DISTT.- NAWADA.
 2. RAM KUMAR S/O NANHAKU PRASAD YADAV R/O VILLAGE-BHAIJIBHITA, P.S- RAJAULI, DISTT.- NAWADA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nidhi Anand, Adv

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-07-2024 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 Rajauli P.S. Case No. 431 of 2024 dated 15.06.2024 registered for the offences punishable u/s 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 80 litres of illicit country made liquor was recovered from the *dickey of the motorcycle*.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. The petitioners have no concern with the alleged recovery. The petitioners are not the owner of the said seized vehicle. The petitioner no. 1 is the driver of the said vehicle. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no. 1 has two criminal antecedents and the petitioner no. 2 has clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 17.06.2024.

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, Nawada, in connection with Rajauli P.S. Case No. 431 of 2024

7. The application stands allowed.

(Chandra Prakash Singh, J)

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