

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57472 of 2024

Arising Out of PS. Case No.-87 Year-2024 Thana- MADHEPUR District- Madhubani

1. Raju Kumar Sah S/o Nunu Sah R/o vill - Nawada, ward no. 2, P.S. - Madhepur, Distt. - Madhubani
2. Niraj Kumar S/o Ramveer Mahto R/o vill - Nawada, ward no. 2, P.S. - Madhepur, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-08-2024 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 Madhepur P.S. Case No. 87 of 2024 dated 30.06.2024 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 81.340 litres of illicit foreign liquor was recovered from the Wagon R Car.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not the owner of the said vehicle but the same was being driven by the Petitioner No.



1, namely, *Raju Kumar Sah* at the time of the alleged recovery. It is further submitted that the Petitioner No. 2, namely, *Niraj Kumar* is the labour. 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 01.07.2024

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, Madhubani, in connection with Madhepur P.S. Case No. 87 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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