

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62086 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- Roshna District- Katihar

1. Santosh Kumar son of Binod sah @ Vinod sah R/v - Bakhtiyarpur, Ps- Mansi, Dist- Khagaria
2. Nitish Kumar son of Binod Sah @ Vinod Sah R/v - Bakhtiyarpur, Ps- Mansi, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prabhat, Adv

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-09-2024 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 Roshna P.S. Case No. 39 of 2024 dated 22.07.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 33.12 litres of illicit foreign liquor was recovered from the two motorcycles.

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 vehicles but the same were being driven by the them at the time of the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no. 1 has one criminal antecedent and the petitioner no. 2 has clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 23.07.2024.

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, Katihar, in connection with Roshna P.S. Case No. 39 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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