

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60058 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- GAYA RAIL P.S. District- Gaya

1. Deepak Kumar @ Vimlesh Kumar @ Vimal Kumar Son of Vinod Prasad R/o Village- Pabheri, P.S.- Dhanarua in the district of Patna
2. Dhananjay Kumar @ Lalu Kumar Son of Mungeshwar Prasad @ Mungeshwar Paswan @ Mungeshwar Paswan @ Muneshwar Prasad R/o Village- Latta, P.S.- Pauthu in the district of Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Adv
For the Opposite Party/s	:	Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-08-2024 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 Rail Gaya P.S. Case No. 148 of 2024 dated 05.07.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 9.360 litres of illicit foreign liquor was recovered from the possession of the Petitioner No. 1, namely, Deepak Kumar and total 18 litres of illicit foreign liquor was recovered from the possession of the Petitioner No. 2, namely, Dhanajay Kumar.

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 rather the recovery has been made from the Platform No. 2 of Guraru Railway Station near the Urine house. 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 06.07.2024.

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, Gaya, in connection with Rail Gaya P.S. Case No. 148 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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