

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60890 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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1. Saurabh Kumar @ Gopal Kumar son of Santosh Kumar RO Village -Suryanagar PS -Khelgawn District- Ranchi Jharkhand
 2. Suraj Kumar son of Late Satyendra Prasad @ Satyendra kumar village- Surju Bigha, Ps- Khizersarai, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-08-2024 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 Sheikhopur Sarai P.S. Case No. 98 of 2024 dated 26.07.2024 registered for the offences punishable u/s 30(a), 32(2) and 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 118.05 litres of illicit foreign liquor was recovered from the Bolero Vehicle.

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. As per the Para 11 of the bail petition, the petitioner no. 1 is the Khalasi and the petitioner no. 2 is the driver of the said seized vehicle. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no. 1 has clean antecedent and the petitioner no. 2 has two criminal antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 27.07.2024.

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, Sheikhpura, in connection with Sheikhopur Sarai P.S. Case No. 98 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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