

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70779 of 2024

Arising Out of PS. Case No.-351 Year-2024 Thana- SUGAULI District- East Champaran

1. Sitaram Kumar S/O Suresh Sahani Resident of Village- Mehwa, P.S.- Sugauli, District- East Champaran
2. Badal Kumar S/O Lal Prasad Sahani Resident of Village- Mehwa, P.S.- Sugauli, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Prasad, Adv.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 30-09-2024 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 Sugauli P.S. Case No. 351 of 2024 dated 04.08.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 58 litres of illicit country made liquor kept in the sack was recovered from the motorcycle.

4. Learned counsel for the petitioners has submitted that the petitioner are innocent and have falsely been implicated in this case. The petitioner no.1 is the driver and the petitioner



no.2 is the pillion rider of the seized motorcycle. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged recovery. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 05.08.2024.

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 period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran at Motihari in connection with Sugauli P.S. Case No. 351 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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