

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67266 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- NEMDARGANJ District- Nawada

1. Satish Mahto Son of Late Shiv Shankar Mahto Resident of village - Dighwara, Manopur, P.S.- Dighwara, District - Saran.
2. Raju Kumar @ Raju Kumar Singh Son of Bhagirath Singh Resident of village - Ramnagar, P.S.- Khaira, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-09-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Nemdarganj P.S Case No. 245 of 2024 dated 28.07.2024 registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1760 litres of illicit spirit was recovered from the tractor and from the pocket of the petitioner No. 1, Rs. 5500/- and from the pocket of the petitioner No. 2, Rs. 600/- was also recovered.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been



implicated in this case. Nothing has been recovered from the possession of the petitioners. The petitioner No. 1 is the driver and the petitioner No. 2 is the co-driver of the said vehicle. The petitioner No. 1 has no criminal antecedent and the petitioner no. 2 has one criminal antecedent. The petitioners are in custody since 29.07.2024.

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 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, Nawada, in connection with Nemdarganj P.S Case No. 245 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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