

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65980 of 2024

Arising Out of PS. Case No.-957 Year-2024 Thana- Excise P.S. District- Kishanganj

1. Bihari Babu Son of Upendra Rai Resident of Village- Ajarkabe Baghla, Ward No. 04, P.S.- Chakmehsi, Distt.- Samastipur
2. Prabhunath Rai Son of Sonelal Ray Resident of Village- Namapur, P.S.- Chakmehsi, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-09-2024 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 Excise (Kishanganj) P.S. Case No. 957 of 2024 dated 10.08.2024 corresponding to Special Case No. 974/2024 registered for the offences punishable u/ss 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 810 litres of illicit foreign liquor was recovered from the Bolero pick-up.

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



implicated in this case. The name of the petitioners was transpired in this case merely on suspicion. The petitioners are the driver and the khalasi of the said vehicle but they have no knowledge about the aforesaid seized liquor. 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 11.08.2024.

5. Learned A.P.P. for the State has 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, Kishanganj in connection with Excise (Kishanganj) P.S. Case No. 957 of 2024 corresponding to Special Case No. 974/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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