

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67636 of 2024

Arising Out of PS. Case No.-313 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

1. Nausad Alam Son of Md. Noor Alam @ Nooraaalam Resident of Village- Dumari, P.S.- Rampur Karkhana, District- Deoria, Uttar Pradesh
2. Mannudin Ansari Son of Reyazuddin Resident of Village- Dumari, P.S.- Rampur Karkhana, District- Deoria, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Adv

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 23-09-2024 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 Kuchaikote P.S. Case No. 313 of 2024 dated 19.07.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 90 litres of illicit country made liquor was recovered from the Tempo and 9 litres of illicit country made liquor was recovered from the possession of the co-accused.

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 petitioner no. 1 is owner-cum-driver of the said seized vehicle and the petitioner no. 2 is passenger. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no. 1 has one criminal antecedent and the petitioner no. 2 has clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 19.07.2024.

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, Gopalganj, in connection with Kuchaikote P.S. Case No. 313 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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