

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69075 of 2024

Arising Out of PS. Case No.-228 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

1. Umesh Kumar Son of Shyam Bihari Yadav Resident of Village- Ajma, PS- Naubatpur, Distt.- Patna
2. Jattu Kumar @ Lalbabu Son of Shatrudhan Sah Resident of Bankipur, P.S.- Fatuha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

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

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 08-10-2024 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

2. The petitioners are seeking regular bail in connection with Durgawati P.S. Case No. 228 of 2024, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022 (Amended) Sections 317(5), 338, 336(3) of BNS

3. Allegedly, 244.71 liters of foreign liquor was recovered from a Scorpio, of which the petitioner no. 1 is driver and petitioner no. 2 is co-driver.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing was recovered from conscious



possession of the petitioners. He has further submitted that the petitioners are under custody since 07.08.2024.

5. Considering the above-mentioned facts and circumstances, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-II, Kaimur at Bhabua in connection with Durgawati P.S. Case No. 228 of 2024, subject to the following conditions that the petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

6. Before release, the learned court below shall verify the criminal antecedents of the petitioners and if they are found that the petitioners are either involved in any case other than the present one or other than the cases as mentioned in para-3 of the bail petition, their bail bonds shall not be accepted.

(Nawneet Kumar Pandey, J)

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