

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69350 of 2024

Arising Out of PS. Case No.-288 Year-2024 Thana- KATEYA District- Gopalganj

1. Nirbhay Singh Rajput @ Nirbhay Singh S/o Manohar Singh Resident of Village- Adwas, PS- Jawar Mines, Distt. - Udaipur (Rajasthan)
2. Takhat Singh @ Takhat Singh Rathor S/o Gopal Singh R/o vill - Krawli, P.s. - Shalumbar, Distt. - Udaipur (Rajasthan)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-09-2024 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 Kateya P.S. Case No. 288 of 2024 dated 26.07.2024 registered for the offences punishable u/ss 317(5) and 3(5) of Bhariya Nyaya Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 382.140 litres of illicit foreign liquor was recovered from the Car.

4. Learned counsel for the petitioners has submitted that the petitioner are innocent and have falsely been implicated in this case. The petitioners are neither the owner nor the driver



of the seized vehicle. The name of the petitioners have transpired in this case merely on suspicion. 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 27.07.2024.

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, Gopalganj in connection with Kateya P.S. Case No. 288 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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