

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73275 of 2024

Arising Out of PS. Case No.-366 Year-2024 Thana- BANIAPUR District- Saran

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1. Kunal Kumar S/O Bharat Rai R/O Village- Dhangarhan Tola, Gopalpur, P.O and P.S- Baniyapur, Distt.- Saran (Bihar).
 2. Golu Kumar S/O Jagannath Rai R/O Village- Suksena, P.S- Jalalpur, Distt.- Saran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sinha, Adv.
For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-10-2024 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. 2. The petitioners have preferred this application for grant of regular bail in connection with Baniyapur P.S. Case No. 366 of 2024 dated 09.08.2024 registered for the offences punishable u/ss 30(a), 32(1), 32(2), 32(3), 38, 41(1), 41(2) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 28.080 litres of illicit foreign liquor was recovered from the house of the co-accused and total 190.080 litres of illicit liquor was recovered from the trunk kept on the *verandah* of the co-accused. 3 mobile phones were recovered from the possession of the petitioner,



Kunal Kumar and one mobile phone and Rs. 14,700/- were recovered from the possession of the petitioner, Golu Kumar.

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 conscious possession of the petitioners. It is further submitted that the petitioners have no concern with the alleged recovery. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 10.08.2024.

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, Saran at Chapra in connection with Baniyapur P.S. Case No. 366 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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