

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73256 of 2024

Arising Out of PS. Case No.-393 Year-2024 Thana- PAHARPUR District- East Champaran

1. Abhishek Kumar Son of Sonelal Sah @ Sonalal Sah R/O Vill.- Ward No.13, Tejpurwa, Daranagar, P.S.- Malahi, Dist.- East Champaran.
2. Sonelal Sah @ Sonalal Sah Son of Late Jawahir Sah R/O Vill.- Ward No.13, Tejpurwa, Daranagar, P.S.- Malahi, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta, Adv.
For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-10-2024 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 Paharpur P.S. Case No. 393 of 2024 dated 25.08.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 15.120 litres of illicit foreign liquor was recovered from the pithu bag of the petitioner no. 2 who along with Abhishek Kumar was riding on the motorcycle.

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 not the owner of the said vehicle and they have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no. 1 has no criminal antecedent whereas the petitioner no. 2 has one criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 26.08.2024.

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, East Champaran at Motihari in connection with Paharpur P.S. Case No. 393 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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