

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74558 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- KHAGARIA RAIL P.S. District- Khagaria

1.

Gaurab Kumar @ Gaurb Kumar son of Sri Ajeet Kumar Yadav @ Ajit Yadav village- Latra, Ward no. 11, Ps- Gopalpur, Dist- Bhagalpur
2.

Sanni Kumar Son of Late Arvind Prasad Yadav village- Raghunathpur, Ward no. 12, Ps- Sahebpur Kamal, Dist- Begusarai
3.

Kanhaiya Kumar son of Sri Sitaram Yadav village- Pathlatola Begusarai, Ps- Muffasil, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganga Prasad Bimal, Adv.
For the Opposite Party/s : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

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18-10-2024

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 Khagaria Rail P.S Case No. 40 of 2024 dated 16.04.2024 registered for the offences punishable u/ss 353 and 307 read with Section 34 of the IPC, Section 27 of the Arms Act, Section 141 of Railway Act and Section 30(a) and 45 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 106.2 litres of illicit foreign liquor was recovered from the bag.

4. Learned counsel for the petitioners has submitted



that the petitioners are innocent and have falsely been implicated in this case. The petitioners are not named in the FIR. 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. As per impugned order dated 21.09.2024, the petitioners are in custody since 18.04.2024. The co-accused has been granted regular bail by this Court vide order dated 16.07.2024 passed in Cr. Misc. No. 50564 of 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, Khagaria in connection with Khagaria Rail P.S Case No. 40 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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