

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85355 of 2023

Arising Out of PS. Case No.-462 Year-2023 Thana- Excise P.S. District- Begusarai

1. Amit Kumar Mishra Son Of Dinesh Mishra R/O Vill - Barmasia, P.S. And Distt. - Deoghat (Jharkhand)
2. Sachin Kumar Sah Son Of Shivdhari Prasad Sah R/O Vill - Barmasia, P.S. And Distt. - Deoghat (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anjani Kumar Mishra Mr. Vijay Bandhan Pandey
For the Opposite Party/s	:	Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of regular bail in connection with Begusarai Excise P.S. Case No. 462 of 2023 registered under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 144 liters of illicit liquor from a Scorpio bearing Reg. No. JH01FC6698 and the petitioners were arrested by the police on spot.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have has falsely been implicated in this case. It is further



submitted that nothing incriminating has been recovered from the conscious possession of the petitioners and they have no concern with the seized illicit liquor. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 31.10.2023.

The application for bail is opposed by learned APP for the State and submitted that the petitioners have been arrested on spot with the said vehicle by the police where the recovery has been made.

The petitioner No.1, namely, Amit Kumar Mishra is directed to deposit a sum of Rs. 20,000/- (Rs. Twenty Thousand) in the District Legal Services Authority of the concerned District.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioners, the Court is inclined to enlarge them on bail. The above named petitioners are directed to be enlarged on bail in connection with Begusarai Excise P.S. Case No. 462 of 2023 on each of them on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Excise Judge-



II, Begusarai.

The bail bonds of the petitioner No.1, namely, Amit Kumar Mishra shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 20,000/- (Rs. Twenty Thousand) by the petitioner No.1 in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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