

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83581 of 2023

Arising Out of PS. Case No.-304 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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1. Nitish Kumar S/o Vaednath Ray @ Baidnath Roy R/o VILLAGE BHASINGPUR, P.S- MOHIUDINAGAR, DISTRICT- SAMASTIPUR
 2. Govind Kumar S/o Late Balkaran Ray R/o VILLAGE BHASINGPUR, P.S- MOHIUDINAGAR, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shanker Singh

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 30(a), 41(1)(2) of the Bihar Prohibition and Excise Act.

3. The petitioners are said to have been apprehended with a tempo bearing Registration No. BR-09PA-0698 from where, 81.285 liters of illicit liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and has committed no offence. They have falsely been implicated in this present case. They have got no criminal antecedent. Petitioners



have no concern with the alleged recovery of illicit liquor or with the vehicle in question. No any incriminating article has been recovered from conscious possession of the petitioners. The petitioners are languishing in judicial custody since 4.11.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mohiuddin Nagar P.S. Case No. 304 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-02, Samastipur.

(Sunil Kumar Panwar, J)

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