

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.932 of 2024

Arising Out of PS. Case No.-102 Year-2023 Thana- Excise P.S. District- East Champaran

1. Nand Kishore Sah S/O Late Vishwanath Sah R/O Village- Manikpur, P.S- Harsidhi, Distt.- East Champaran.
2. Raj Kumar @ Raja Kumar Sah @ Raja Kumar S/O Rameshwar Sah R/O Village- Manikpur, P.S- Harsidhi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act.

Allegation against the petitioners is that they were apprehended on spot with a tempo from where total 90 liters of illicit liquor was recovered.

Learned counsel appearing on behalf of the petitioners have submitted that petitioners are innocent and have 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. No any



incriminating article has been recovered from their possession. The petitioners are languishing in judicial custody since 5.9.2023.

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

The petitioner no.1, being driver of the seized vehicle, is directed to deposit a sum of **Rs 5,000/- (Five Thousand)** in the District Legal Services Authority of concerned District.

Considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Excise (Areraj) P.S. Case No. 102 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Spl. Judge, Excise Court.2, East Champaran at Motihari.

The bail bonds of the **petitioner no.1** shall be accepted by the learned court below on showing the receipt of deposit of **Rs. 5,000/- (Rs. Five thousand)** by the in the account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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