

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.805 of 2024

Arising Out of PS. Case No.-267 Year-2023 Thana- MOHAMMADPUR District- Gopalganj

1. Amit Sah Ajit Sah R/o Village- Kuchaikote, P.S.- Kuchaikote, Dist.- Gopalganj
2. Azad Hussain SON OF LATE NOOR HASAN R/o Village- Pathra, P.S.- manjhagargh Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepankar Raj

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-01-2024 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 Mohammadpur P.S. Case No. 267 of 2023 registered under sections 30(a), 41 and 48 of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of total 685.56 liters of illicit liquor from a pick-up Van vehicle bearing Reg. No. BR01G-H1315 and both the petitioners were apprehended by the police on spot with the said vehicle.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They



have falsely been implicated in this case merely on suspicion. 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. Moreover, they are languishing in judicial custody since 23.11.2023.

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

The petitioners are directed to deposit a sum of Rs. 5,000/- (Rs. Five Thousand) each by them 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 the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Mohammadpur P.S. Case No. 267 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each by them with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge Excise-I, Gopalganj.



The bail bonds of the petitioners shall be accepted by the learned lower Court below on showing the receipt of deposit of Rs. 5,000/- (Rs. Five Thousand) each by the petitioners in the account of concerned DLSA.

(Sunil Kumar Panwar, J)

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