

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5399 of 2024

Arising Out of PS. Case No.-1313 Year-2023 Thana- KAHALGAON District- Bhagalpur

1. Ravindra Kumar Yadav S/o Laxman Yadav @ Laxman Prasad Yadav R/o Village- Bajraha, PS- Dhamdaha, District- Purnea
2. Ankit kumar S/o Birendra Yadav R/o Ram Nagar Parsahi, PS- Banmankhi, district- Purnea

... .. Petitioner/s

Versus

The State of Bihar Patna,

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with Kahalgaon (Ghogha) P.S. Case No. 1313 of 2023 lodged on 24.11.2023 under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, the recovery of 183.60 liters of wine is the subject matter of the present case. The said recovery has been made from a Swift Dzire car.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. The said recovery has been made from a Swift Dzire car in which



the petitioners were driver and co-driver. The petitioners are completely unaware of what is loaded on the said vehicle. The petitioners are in custody since 25.11.2023 having no criminal antecedent. Moreover, the chargesheet has already been filed.

5. Learned counsel for the State opposes the prayer for bail and submits that the said recovery has been made from a car which was under control of the petitioners.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named be released on bail, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-1, Bhagalpur, in connection with Kahalgaon (Ghogha) P.S. Case No. 1313 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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