

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.239 of 2024

Arising Out of PS. Case No.-548 Year-2023 Thana- SIWAN MUFFASIL District- Siwan

1. Bipin Kumar Yadav S/O- Ram Dayal Yadav R/O- Village- Rajgarh, P.S.- Gagaha, Dist.- Gorakhpur (Uttar Pradesh)
2. Shivam Maurya S/O- Ramraj Maurya R/O- Village- Mamkhor, P.S.- Barhalganj, Dist.- Gorakhpur (Uttar Pradesh)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

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

3. As per prosecution case, both the petitioners were apprehended on the spot and from a car bearing Reg. No. UP53X7967, total 256.260 liters of illicit liquor was recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have no concern with the alleged recovery or with



the vehicle in question. In fact, they were only sitting in the car as a passenger and they were not aware about any liquor and the real culprit/driver fled away after seeing the police. Nothing incriminating article has been recovered from their conscious possession. Petitioners have got no criminal antecedent and they are languishing in judicial custody since 06.10.2023.

5. Learned APP appearing for the State has 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 petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No. II, Siwan in connection with Siwan Muffasil P.S. Case No.548 of 2023.

(Sunil Kumar Panwar, J)

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