

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2523 of 2024

Arising Out of PS. Case No.-1272 Year-2023 Thana- KAHALGAON District- Bhagalpur

1. Raj Kumar Son Of Bijendra Sharma Resident Of Village - Manikpur, Police Station - Madhepura, District - Madhepura
2. Aashish Kumar Son Of Late Dharendra Sharma Resident Of Village - Manikpur, Police Station - Madhepura, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah

For the Opposite Party/s : Mr.Akbar Ali

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.

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

3. Prosecution case relates to recovery of 194 illicit foreign liquor from a vehicle bearing Registration No. BR19P-2726 and the petitioners are said to be apprehend on spot with the seized vehicle.

4. 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. No any incriminating article has been recovered from their possession. The petitioners are languishing in judicial custody since 10.11.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail and submitted that the petitioners are apprehended on spot with the alleged recovery of illicit.

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

7. 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 released on bail in connection with Kahalgaon (Ghogh) P.S. Case No. 1272 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 Special Exclusive Excise Judge-1, Bhagalpur.

8.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)** in the account of the
concerned DLSA.

(Sunil Kumar Panwar, J)

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