

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8050 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- KURSAILA District- Katihar

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1. Anku Kumar Singh Son of Ashok Kumar Singh Resident of Village - Laxmipur Jhiktia, P.S. - Korha, District - Katihar
 2. Akash Kumar Son of Vinod Prasad Sah Resident of Village - Girja Chowk, P.S. - K. Hat, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-02-2025 Heard Mr. Ram Prawesh Kumar, learned counsel for the petitioners and Ms. Renu Kumari, learned APP for the State.

2. The petitioners seek bail in connection with Kursela PS Case No. 04 of 2025 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 969 litres of foreign liquor was recovered from parcel van.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the



petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is submitted that petitioner no. 2 is the owner and petitioner no. 1 is the passenger of the vehicle and they have no knowledge regarding the nature of goods kept in the vehicle. The petitioners are in custody since 06.01.2025. Petitioner no. 1 has four criminal antecedents and petitioner no. 2 has two criminal antecedents. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail, ***after framing of charge if not already framed*** on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kursela PS Case No. 04 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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