

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32970 of 2025

Arising Out of PS. Case No.-23 Year-2024 Thana- Haraiya District- East Champaran

1. Murat Sah S/O Brijlal Prasad R/O Village- Semra Bazar, P.S- Turkauliya, Dist.- East Champaran.
2. Rakesh Kumar @ Rakesh Gupta @ Rakesh Kumar Gupta S/O Baccha Sah R/O Banwariya, P.S- Kushinagar, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Haraiya P.S. Case No. 23 of 2024 dated 27.10.2024 registered for the offences punishable u/ss 318(4), 338, 336(3), 340(2), 61(2) of the B.N.S. and u/ss 30(a), 41(1), 31, 33, 38 and 47 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1000 litres of spirit was recovered from the Truck which was parked in the premise of Sugam Parivahan Pvt. Ltd. Transport.

4. Learned counsel for the petitioners has submitted



that the petitioners are innocent and have falsely been implicated in this case. The name of the petitioners has sprung up in the confessional statement of the co-accused, Bhup Singh. The petitioners are neither the owner nor the driver of the said vehicle and they have no knowledge about the aforesaid seized liquor. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have six criminal antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 05.02.2025 .

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran in connection with Haraiya P.S. Case No. 23 of 2024 with the condition :-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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