

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89903 of 2024

Arising Out of PS. Case No.-348 Year-2024 Thana- BAHADURGANJ District- Kishanganj

1. Abhishek Kumar Son of Binod Rai @ Vinod Ray Resident of Village -Rahimpur, Police Station- Vaishali, District -Vaishali
2. Hari Charan Rai Son of Harindar Rai Resident of Village- Chakwi Jagni, Ward No. 03, P.S.- Hajipur Sadar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-02-2025 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 Special Case No. 297 of 2024 arising out of Bahadurganj P.S. Case No. 348 of 2024 dated 18.11.2024 registered for the offences punishable u/ss 274, 275 and 61(2) of the B.N.S. and Sections 30(a), 32(1), 32(3), 36, 41(2)(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 4929.750 litres of illicit foreign liquor was recovered from the Tanker.

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 was transpired in this case merely on suspicion. The petitioners are the driver and the co-driver of the said vehicle but they have no knowledge about the aforesaid seized liquor. Nothing has been recovered from the conscious possession of the petitioners. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 18.11.2024.

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, Kishanganj in connection with Special Case No. 297 of 2024 arising out of Bahadurganj P.S. Case No. 348 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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