

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89072 of 2024

Arising Out of PS. Case No.-234 Year-2024 Thana- JAGDISHPUR District- Bhagalpur

1. Raj Kishor Singh S/O Late Ram Surat Singh R/O Vill.- Aarria, P.S.- Jandaha, Dist.- Vaishali, Bihar- 848101
2. Kamlesh Singh S/O Sri Raj Narayan Singh R/O Vill.- Motipur, P.S.- Tajpur, Dist.- Samastipur, Bihar- 848101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-02-2025 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Jagdishpur P.S. Case No. 234 of 2024 dated 29.10.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1274.400 litres of illicit foreign liquor was recovered from the toilet tank attached with the tractor.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioners. The name of the



petitioners has sprung up in the confessional statement of the co-accused. The petitioner No. 1 has one criminal antecedent and the petitioner No. 2 has seven criminal antecedents in which he is on bail in all the cases as stated in para 3 of the bail petition. The petitioners are in custody since 31.10.2024.

5. Learned A.P.P. for the State has vehemently 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, Bhagalpur in connection with Jagdishpur P.S. Case No. 234 of 2024 with a condition/s:-

(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 bond of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J.)

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