

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89829 of 2024

Arising Out of PS. Case No.-349 Year-2024 Thana- MAIRWAN District- Siwan

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1. Jairam Kumar Son of Late Sankar Nand Prasad Resident of Village - Barah @ Sirsi Barah, P.S. - Harnaut, District - Nalanda
 2. Nitish Kumar Son of Late Rambabu Sharma @ Late Rambabu Mistri Resident of Village - Bariyarpur, P.S. - Bakhtiyarpur, District - Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Sharma
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-02-2025 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 Mairwa P.S. Case No. 349 of 2024 dated 25.09.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 289.800 litres of illicit foreign liquor was recovered from Bolero vehicle.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. As per para-8 of the bail petition, the petitioner no.1 is the daily wage driver of the seized vehicle and as



per para-9 of the bail petition, the petitioner no.2 is the co-passenger. The petitioners have no concern with the alleged vehicle. The petitioner no.1 has one criminal antecedent and petitioner no.2 has no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 25.09.2024.

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) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Mairwa P.S. Case No. 349 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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