

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6186 of 2024

Arising Out of PS. Case No.-513 Year-2023 Thana- MADANPUR District- Aurangabad

1. Sukan Kumar @ Sukan Kumar Yadav Son Of Latu Yadav R/O Village- Karmachak, P.S.- Pratappur, Dist.- Chatra (Jharkhand)
2. Ranjit Saw Son Of Bhola Saw @ Bhola Sow R/O Village- Tandwa, P.S.- Pratappur, Dist.- Chatra (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Madanpur P.S. case No. 513 of 2023 instituted for the offences under Sections 30(a), 32 and 41 of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 97.9 litres of illicit liquor was recovered from the tempo.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 25.11.2023 and no criminal antecedent. The petitioners have falsely been implicated in the present case merely on suspicion. It is further



submitted by the learned counsel for the petitioners that petitioners have got no concern with the alleged recovery. Petitioners are driver and passenger of the said seized tempo. Nothing incriminating has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that there is no compliance of Section 100 of the Cr.P.C.

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, clean criminal antecedents of petitioners as well as 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 on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madanpur P.S. case No. 513 of 2023.

(Rudra Prakash Mishra, J)

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