

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9055 of 2024

Arising Out of PS. Case No.-814 Year-2023 Thana- MAHUA District- Vaishali

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1. Mukesh Kumar Bishnoi @ Mukesh Kumar Son Of Om Prakash Bishnoi
R/O-7 L.N.P. P.S.-SADAR, Distt.-SRI Ganganagar, State-Rajsthan
 2. Vikram Singh Neghwal @ Vikram Singh Son Of Chandralal Neghwal R/O-
Amla, P.S.-AGAR Amla, Distt.-SHAJAPUR, State-Madhya Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Anuj Kumar, Advocate
For the State	:	Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Mahua
P.S. Case No. 814 of 2023 instituted for the offence under
Sections 414, 420/34 of the Indian Penal Code and Sections
30(a), 32(ii), 34(ii) and 41(i) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, there is recovery of total
2410.560 liters of illicit Indian made foreign liquor from truck
and two Pickup.

4. It has been submitted on behalf of the petitioners
that the petitioners are in custody since 16-12-2023. Petitioners
are stated to be man of clean antecedent.



5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Petitioner No. 1 is the cleaner and petitioner No. 2 is the driver of the truck. Petitioners were oblivious of the fact that illicit liquor was laden the vehicle. Petitioners have no concern with the alleged recovered liquor. There is no compliance of Section 100 of the Code of Criminal Procedure, 1973.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners and clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahua P.S. Case No. 814 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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