

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9064 of 2024**

Arising Out of PS. Case No.-457 Year-2023 Thana- GAIGHAT District- Muzaffarpur

1. Jeetu Singh Son of Sadhu Singh R/o Mohalla - N123/25 Lalbagh Azadpur North West Delhi, P.S. - Adarshnagar, Distt. - Delhi
2. Pankaj Son of Deen Dayal R/o 475 PO1, No. 95, Mishrau, Nazaf Garh, P.S. - Adarsh Nagar, Distt. - Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                    |   |                                  |
|--------------------|---|----------------------------------|
| For the Petitioner | : | Mr. Girish Chandra Jha, Advocate |
| For the State      | : | Mr. C. Jawahar, 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 Gaighat P.S. Case No. 457 of 2023 instituted for the offence under Sections 272, 273, 34 of the Indian Penal Code and Sections 30(a), 36, 41(i) of the Bihar Prohibition and Excise Act.

3.      As per prosecution case, there is recovery of total 619.380 liters of illicit foreign liquor from XUV 500.

4.      It has been submitted on behalf of the petitioners that the petitioners are in custody since 29-11-2023. 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. Petitioners are not the owner of the vehicle, rather owner of the vehicle is one 'Rajendra Singh Rawat'. 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 petitioners, 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 Gaighat P.S. Case No. 457 of 2023.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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