

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9960 of 2024

Arising Out of PS. Case No.-329 Year-2023 Thana- NASRIGANJ District- Rohtas

1. Amit Kumar Son of Ajay Singh Resident of Village-Kishuwari, P.S.-Karakat, Distt.-Rohtas
2. Santosh Kumar Son of Narendra Kumar Singh @ Nagendra Kumar Singh Resident of Village-Basdiha, P.S.-Karakat, Distt.-Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamla Kant Pandey

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Nasriganj P.S. Case No. 329 of 2023 instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 1407.27 litres of foreign country-made liquor was recovered from truck.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioners. Petitioners have no concern with the alleged recovery. Learned counsel further submitted that petitioners



have no concern with the vehicle and are simply passengers of the said truck. It has been submitted on behalf of the petitioners that the petitioners are in custody since 27.11.2023. Petitioner no.1 has no criminal antecedent whereas petitioner no.2 has one criminal antecedent. 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 and 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 Nasriganj P.S. Case No. 329 of 2023.

(Rudra Prakash Mishra, J)

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