

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7630 of 2024

Arising Out of PS. Case No.-834 Year-2023 Thana- MALSALAMI District- Patna

1. Manoj Kumar Son of Ramji Choudhary R/o vill - Nakhas Pind, P.S. - Malsalami, Distt - Patna
2. Sachin Kumar Son of Late Suresh Paswan R/o vill - Bharatpur Simli, P.S. - Malsalami, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Malsalami P.S. Case No. 834 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 60 litres country-made liquor was recovered from three plastic bags kept near *pipal* tree.

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. It has been submitted on behalf of the petitioners that the petitioners are in custody since 26.12.2023 and have no 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, the petitioner having clean antecedent 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 Malsalami P.S. Case No. 834 of 2023,.

(Rudra Prakash Mishra, J)

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