

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9832 of 2024

Arising Out of PS. Case No.-897 Year-2023 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Yogendra Son of Devanand Resident of Village-Chhara, P.S.-Asoda, Distt.-Jhajhhar (Haryana)
2. Sanjeet Son of kartar Singh Resident of Village-Chhara, P.S.-Asoda, Distt.-Jhajhhar (Haryana)
3. Pramod Son of Jaipal Resident of Village-Chhara, P.S.-Asoda, Distt.-Jhajhhar (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Md Soban Asghar, Advocate
For the State	:	Mr. Sanjay Kumar, APP

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 Excise P.S. Case No. 897 of 2023 instituted for the offence under Sections 30(a), 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, there is recovery of total 291.960 liters of illicit Indian made foreign liquor from Alto car.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 30-12-2023. 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 driver of the vehicle while petitioner Nos. 2 & 3 are passenger of 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, clean antecedent of the petitioners and manner of implication, 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 Excise P.S. Case No. 897 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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