

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9411 of 2024**

Arising Out of PS. Case No.-882 Year-2023 Thana- Excise P.S. District- Kaimur (Bhabua)

1. Madan Chaudhary Son of Hanuman Chaudhary Resident of Village-Ranwali, P.S.-Ranwali, Distt.-Sikar (Rajashthan)
2. Jitendra jat Son of Prabhu Dayal Resident of Village-Hanumanpur, P.S.-Jinmata, Distt.-Sikar (Rajashthan)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md Soban Asghar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, 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 Excise  
P.S. Case No. 882 of 2023 instituted for the offences under  
Sections 30(a)/32(3) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 301.860  
litres illicit liquor of Royal Classic Whisky was recovered from  
*Vitara Brezza* car.

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 petitioner no.1 is the driver and petitioner no.2 is the passenger of the said vehicle. It has been submitted on behalf of the petitioners that the petitioners are in custody since 26.12.2023 and 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, no criminal 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, **after submission of charge-sheet, if not already submitted**, 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 Excise P.S. Case No. 882 of 2023.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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