

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8303 of 2024

Arising Out of PS. Case No.-273 Year-2023 Thana- RAHIKA District- Madhubani

1. Suresh Ram S/O Ghuran Ram R/O Vill - Rahika Ward No-03, Ps - Rahika, Dist-Madhubani
2. Mithilesh Ram S/O Ram Bilash Ram R/O Vill - Rahika Ward No-03, Ps - Rahika, Dist-Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Braj Kishore Pd, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Rahika P.S. Case No. 273 of 2023, G.R. No. 1794 of 2023 instituted for the offence under Sections 272, 273, 414 read with 34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, total 54 litres of illicit Nepali liquor was recovered from the motorcycle.

4. It has been submitted on behalf of the petitioners' counsel that the petitioners are in custody since 14.12.2023. Petitioners have no criminal antecedent, as per disclosure made



in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. It is further submitted that the petitioners have no concerned with the alleged recovery. The said motorcycle has been registered in the name of the brother-in-law of the petitioner no.1. There is no compliance of Section 100 of the Cr.P.C.

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 and period of custody 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rahika P.S. Case No. 273 of 2023, G.R. No. 1794 of 2023.

(Rudra Prakash Mishra, J)

Nilmani/-

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