

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20891 of 2024

Arising Out of PS. Case No.-215 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. Dilip Ray @ Kari Mahto SON OF Maheshwar Ray RESIDENT OF
VILLAGE- MANJHAUL PACHMUKHI TOLA, PS-
CHERIABARIYARPUR, DIST- BEGUSARAI
 2. TINKU KUMAR @ TUNKA SAHNI SON OF LATE KASI SAHNI
RESIDENT OF VILLAGE- MANJHAUL PACHMUKHI TOLA, PS-
CHERIABARIYARPUR, DIST- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Bhusan Poddar
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 03-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Cheriya Bariyarpur P.S. case No. 215 of 2023 instituted for the
offences under Section 188, 290 of the I.P.C. and Section 30(a),
30(d) of the Bihar Prohibition and Excise Act.

3. Prosecution case, in short, is that three 90 liter
liquor was recovered from the field of Kanhaiya Singh and
nobody was apprehended on the spot.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.



Neither the petitioners were apprehended on the spot nor any incriminating article has been recovered from their possession. Charge-sheet has been submitted in this case. The petitioners are in judicial custody since 13.12.2023, and have one criminal antecedent each. There is no compliance of Section 100 of the Cr.P.C.. Co-accused has been granted bail by this Court by order dated 22.02.2024, passed in Cr. Misc. N. 11286 of 2024.

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, judicial custody undergone by the petitioners, and claim based on parity, 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Cheriya Bariyarpur P.S. case No. 215 of 2023.

(Rudra Prakash Mishra, J)

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