

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10474 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- ALAMGANJ District- Patna

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1. Ajay Kumar @ Bittu S/o- Late Dipak Prasad, Village- Kajibagh Purani Mandir P.S.- Alamganj Dist- Patna
 2. Rishu Kumar, Son of Late Dipak Prasad, Village- Kajibagh Purani Mandir P.S.- Alamganj Dist- 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. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners seek bail in Alamganj P.S. Case No.
13 of 2024, instituted for the offences punishable under Sections
30(a), 32 and 41 (1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 67.950 liters
India Made Foreign Liquor was recovered from XUV 500 car
and the petitioners were arrested on spot.

4. Learned counsel for the petitioners submits that the
petitioners have falsely been implicated in the present case. The
petitioners have got no concern with the alleged recovery of
liquor and no incriminating article have been recovered from the



conscious possession of the petitioners. The petitioners are not owner of the seized vehicle. Both the petitioners are driver and helper of the said vehicle. The petitioners are in custody since 07.01.2024 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Alamganj P.S. Case No. 13 of 2024.

(Rudra Prakash Mishra, J)

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