

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9985 of 2024

Arising Out of PS. Case No.-336 Year-2023 Thana- TARAIYA District- Saran

1. Kundan Kumar S/O Mahesh Bhagat R/O Village- Bari Ishupur Hajipur, P.S- Industrial Area, Distt.- Vaishali.
2. Bhola Kumar S/O Ram Pravesh Paswan R/O Village- Bankment Colony, P.S- Sadar Hajipur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, 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 Taraiya
P.S. Case No. 336 of 2023 instituted for the offences under
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 282.75 litres
English wine from the pickup van.

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 petitioners



have no concern with the vehicle from which the alleged recovery has been made. It has been submitted on behalf of the petitioners that the petitioners are in custody since 15.10.2023 and have 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, clean 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 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 Taraiya P.S. Case No. 336 of 2023.

(Rudra Prakash Mishra, J)

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