

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10942 of 2024

Arising Out of PS. Case No.-1565 Year-2023 Thana- JAMUI District- Jamui

-
1. Prem Kumar Son of Dinanath Rai Resident of Village- Byapur, Police Station- Maner, Dist.- Patna
 2. Guddu Rai Son of Durga Ray @ Asharfi Rai R/o Village- Byapur, Police Station- Maner, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Divya Bharti, Adv.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with JAM P.S. Case No. 1565 of 2023 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, the police in course of vehicle checking has recovered altogether 169.650 liters English wine from the white colour Bolero Goods Pick-up bearing Registration No. BR01GH-4443.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that nothing incriminating has



been recovered from the conscious possession of the petitioners or their house. The petitioner no.1 is the driver and the petitioner no.2 is the cleaner-cum-owner of the alleged vehicle. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioners are languishing in judicial custody since 20.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioners as also the petitioners having no criminal antecedent, let the petitioners, abovenamed, 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 JAM P.S. Case No. 1565 of 2023.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

