

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12648 of 2024

Arising Out of PS. Case No.-602 Year-2023 Thana- CHHATAUNI District- East Champaran

1. Anoj Gupta @ Ravi Gupta Son of Late Gandhi Sah Resident of village - Kopa, P.S.- Kopa ,District- Saran (Chhapra).
2. Om Prakash Sah Sonof Raekbal Sah @ Ram Eqbal Sah Resident of village - Gawandri, P.S.- Kundwachainpur ,District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Chhatauni P.S. Case No. 602 of 2023, instituted for the offences punishable under Sections 30(a), 32(ii), 32(iii), 36, 41(i) and 42(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 383.400 liters liquor was recovered from pick-up van and both the petitioners were apprehended on spot.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. No incriminating material have been recovered from the conscious



possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 04.12.2023 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 petitioner.

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 Chhatauni P.S. Case No. 602 of 2023.

(Rudra Prakash Mishra, J)

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