

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13923 of 2024

Arising Out of PS. Case No.-493 Year-2023 Thana- SIRDALA District- Nawada

1. Kanhaiya Kumar Son of Subodh Singh Resident of village- Madhopur, P.S.- Satgawan, District- Kodarma (Jharkhand), At present ITI college, P.S.- Town, District - Nawada
2. Shankar Kumar Son of Anil Singh Resident of Mohalla- Kalaliraod, Nawada, P.S.- Town, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sheo Nandan Prasad, Advocate
For the State	:	Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Sirdalla P.S. Case No. 493 of 2023 instituted for the offence under Sections 30(a) & 41 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, there is recovery of total 44.250 liters of illicit liquor from tempo.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 31-12-2023. Petitioners are stated to be man of clean antecedent.

5. It has been further submitted by the petitioners'



counsel that petitioners have been falsely implicated in the present case. Nothing has been recovered from the conscious possession of the petitioners. There is no compliance of Section 100 of the Code of Criminal Procedure, 1973.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, clean antecedent of the petitioners and manner of implication, this Court is inclined to grant bail to the petitioners.

8. 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 Sirdalla P.S. Case No. 493 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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