

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12669 of 2024

Arising Out of PS. Case No.-276 Year-2023 Thana- KISHANPUR District- Supaul

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1. Raushan Kumar S/o Satya Narayan Mehta R/o Vill - Dahupatti, Ward No. 7, P.S. - Bhaptiyahi, Distt. - Supaul
 2. Rajesh Kumar Mehta S/o Shyam Kumar Mehta R/o Vill - Narayanpur, Ward No. 11, P.S. - Bhaptiyahi, Distt. - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd.(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 connection with Sessions Trial Excise No. 1569 of 2023, arising out of Kishanpur P.S. Case No. 276 of 2023, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 648 liters liquor was recovered from one car 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. It is further submitted that the petitioners are neither owner nor driver of the seized vehicle. The petitioners are in custody since 25.12.2023 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 Sessions Trial Excise No. 1569 of 2023, arising out of Kishanpur P.S. Case No. 276 of 2023.

(Rudra Prakash Mishra, J)

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