

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12842 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Rajababu Kumar S/O Yogendra Paswan R/O Village- Godhwa, P.S.- Muffasil, Dist.- East Champaran.
 2. Ram Kishor Paswan S/O Shivpujan Paswan R/O Village- Pataura Bankat, P.S.- Muffasil, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh, Advocate
For the Opposite Party/s : Ms. Asha Kumari, 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 Motihari Muffasil P.S.
Case No. 18 of 2024, instituted for the offences punishable
under Sections 30(a), 32 and 41(i) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 14.625 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 not owner of the seized vehicle. The petitioners are in custody since 11.01.2024. Petitioner No. 1 has got no criminal antecedent and Petitioner No. 2 has got one criminal antecedent in which the petitioner is on bail. 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 Motihari Muffasil P.S. Case No. 18 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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