

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13119 of 2024

Arising Out of PS. Case No.-2563 Year-2023 Thana- Excise P.S. District- Purnia

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1. Punam Devi wife of Mahadeo Mahto Village- Kasba Shanti Nagar W.No-3,
P.S.- Kasba Dist- Purnea
 2. Rinki Devi wife of Lalit Chouhan Village- Kasba Shanti Nagar W.No-3,
P.S.- Kasba Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, 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 Purnia Excise P.S. Case
No. 2563 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, 223.080
liters liquor was recovered from one tempo 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.
Charge-sheet has been submitted in this 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 both the petitioners were passengers of the said vehicle. The petitioners are in custody since 20.12.2023 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 Purnia Excise P.S. Case No. 2563 of 2023.

(Rudra Prakash Mishra, J)

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