

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15342 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- SARAIYA District- Muzaffarpur

1. Ravindra Singh Son of Sataydev Singh @ Satyadeo Singh Resident of Village- Badaipar, P.S.- Chauri Chaura, District- Gorakhpur (Uttar Pradesh)
2. Deepak Yadav Son of Santraj Yadav @ Sant Lal Yadav Resident of Village- Badaipar, P.S.- Chauri Chaura, District- Gorakhpur (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 18818 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- SARAIYA District- Muzaffarpur

Santosh Yadav S/o- Rameshwar Yadav @ Rameshwar Ray resident of village- Mohbbatpur, p.s.-Saraiya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 19309 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- SARAIYA District- Muzaffarpur

Aman Kumar Son of Krishnadev Ray @ Krishdev Ray Resident of Village- Manikpur, P.S.- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 15342 of 2024)

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mrs. Asha Kumari, APP



(In CRIMINAL MISCELLANEOUS No. 18818 of 2024)
For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP
(In CRIMINAL MISCELLANEOUS No. 19309 of 2024)
For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Saraiya P.S. Case No. 24 of 2024, instituted for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code, Sections 30(a), 32(2), 32(3), 36, 41(1) and 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 3024 liters liquor was recovered from a truck and all 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 petitioner nos. 1 and 2 in Cr. Misc. No. 15342 of 2024 are driver and *khalasi* of that truck, they have no knowledge regarding the goods loaded in the vehicle, petitioner



in Cr. Misc. No. 18818 of 2024 is a labour and petitioner in Cr. Misc. No. 19309 of 2024 is owner of Shree Krishna Traders. The petitioners are in custody since 12.01.2024. Petitioners in Cr. Misc. No. 15342 of 2024 have got no criminal antecedent, petitioner in Cr. Misc. No. 18818 of 2024 has got one criminal antecedent in which the petitioner is on bail and petitioner in Cr. Misc. No. 19309 of 2024 has got four criminal antecedents in which the petitioner is on bail in all the cases. 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 petitioners.

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 Saraiya P.S. Case No. 24 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every



date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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