

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16064 of 2024

Arising Out of PS. Case No.-613 Year-2023 Thana- Excise P.S. District- Saran

1. Santosh Chaudhary @ Santosh Choudhary Son Of Ravi Shankar Chaudhary
Residence Of Village - Lohari, P.S. - Chapra Muffasil, District - Saran
(Chapra)
2. Dablu Paswan Son Of Krishna Paswan Residence Of Village - Lohari, P.S. -
Chapra Muffasil, District - Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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

ORAL ORDER

2 06-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Sadar Excise P.S. Case
No. 613 of 2023, instituted for the offences punishable under
Sections 30(a) and 32(3) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 126 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. 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 vehicle. The petitioners are in custody since 12.11.2023 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 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 Sadar Excise P.S. Case No. 613 of 2023.

(Rudra Prakash Mishra, J)

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