

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21206 of 2024

Arising Out of PS. Case No.-301 Year-2023 Thana- LAUKAHI District- Madhubani

1. Rohit Kumar Son of Gangaram Yadav Resident of Village- Jaruali, Ps- Andaramath, Distt- Madhubani
2. Md. Abubakar @ Abubakar @ Bakar Son of Md. Daud Resident of Village- Jaruali, Ps- Andaramath, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Bharti, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek bail in connection with

Laukahi P.S. Case No. 301 of 2023 instituted for the

offences under Section 272, 273, 414/34 of the Indian

Penal Code and Section 30(a) of the Bihar Prohibition and

Excise Act, 2016.

3. As per prosecution case, the police has recovered

altogether 432 liter Nepali country made liquor from three

motorcycles.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners are neither owner of the recovered vehicles nor connected with the recovered liquor. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioners are languishing in judicial custody since 21.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners and the petitioners having no criminal antecedent, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each



with two sureties of the like amount each to the satisfaction
of Court below/concerned Court in connection with Laukahi
P.S. Case No. 301 of 2023.

(Rudra Prakash Mishra, J)

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