

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19972 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. Shankar Ram Son of Gidar Ram Resident of Village - Aarah (Mahua), P.S.- Gholar, District - Madhepura
 2. Pintu Kumar Son of Kari Yadav Resident of Village - Mahua, P.S.- Ghohlar, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Indeshwari Mandal, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with G.R.
No. 227 of 2024, arising out of Kotwali (Barari) P.S. Case No.
42 of 2024, instituted for the offences punishable under Sections
30(a), 32(1), 32(2) and 41 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 691.200
liters liquor was recovered from pick-up vehicle and both the
petitioner were apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No



incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that both the petitioners are driver and helper of the seized vehicle and they have no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 17.01.2024 and has 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 G.R. No. 227 of 2024, arising out of Kotwali (Barari) P.S. Case No. 42 of 2024.

(Rudra Prakash Mishra, J)

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