

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21812 of 2024

Arising Out of PS. Case No.-621 Year-2023 Thana- Excise P.S. District- Saran

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1. Krishna Basfor Son Of Santosh Basfor Resident Of Village- Kasina, PS- Garkha, Dist- Saran
 2. Bindo Basfor @ Vinod Basfor Na Resident Of Village- Kasina, PS- Garkha, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Iftexhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Sadar Excise P.S. Case No. 621 of 2013, 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, 29 liters liquor was recovered from scooty and both the petitioner were apprehended on spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and 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 both the petitioners are neither driver nor owner of the seized vehicle. The petitioners are in custody since 03.12.2023 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 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. 621 of 2013.

(Rudra Prakash Mishra, J)

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