

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20641 of 2024

Arising Out of PS. Case No.-164 Year-2024 Thana- Excise P.S. District- Patna

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1. Munna Kumar Son of Rama Sah @ Rama Saw Resident of Birua Chak, P.S.-
Mehandiganj, Distt.-Patna
 2. Munna Kumar Son of late Ganesh Prasad Resident of Parev, P.S.-Bihta,
Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

**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 Excise P.S. Case No.
164 of 2024 (Prohibition Case No. 164 of 2024), instituted for
the offences punishable under Sections 30(a) and 56(b) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 397.440
liters liquor was recovered from pick-up vehicle and both the
petitioners 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 petitioner no. 1 is driver and petitioner no. 2 is co-driver of the seized vehicle and they have no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 02.02.2024 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 Excise P.S. Case No. 164 of 2024 (Prohibition Case No. 164 of 2024).

(Rudra Prakash Mishra, J)

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