

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19253 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- ROSHANGANJ District- Gaya

1. Gaurav Kumar @ Gaurav Kumar Jha Son Of Shankar Jha @ Shankar Kumar Jha Resident of village -Dakra Churi west Ps- Khalari district -Ranchi Jharkhand
2. Chandan Kumar @ Chandan Kumar Son Of Ram Prasad Paswan Resident Of Village- Bhat Bigha, PS- Rampur, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Raushanganj P.S. Case No. 28 of 2024, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 203 liters liquor was recovered from car 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 petitioner no. 1 is driver and petitioner no. 2 co-passenger of the said vehicle. The petitioners are in custody since 01.02.2024. Petitioner No. 1 has got clean antecedent, whereas Petitioner No. 2 has got one criminal antecedent in which the petitioner is on bail. 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 Raushanganj P.S. Case No. 28 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

