

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19835 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- ADAPUR District- East Champaran

1. Manzoor Miya Son of Late Mohammad Miya Resident Of Village- Murtiya, PS- Adapur, Distt- East Champaran
2. Israful Miya Son of Late Zahur Miya Resident Of Village- Murtiya, PS- Adapur, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, 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 Adapur P.S. Case No. 35 of 2024, instituted for the offences punishable under Section 30(a), 41(a) and 32 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 60 liters liquor was recovered from sack and both the petitioner 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 the petitioners are daily wage labourers. 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 Adapur P.S. Case No. 35 of 2024.

(Rudra Prakash Mishra, J)

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