

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21593 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- DANAPUR District- Patna

1. Amit Kumar Son of Ramesh Rai @ Ramesh Kumar Rai Resident of Village-Babuchak, P.S.-Phulwari Sharif, District-Patna.
2. Subodh Kumar @ Sujeet Kumar Son of Bhushan Rai Resident of Village-Babuchak, P.S.-Phulwari Sharif, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Special Case No. 118 of 2024, arising out of Danapur P.S. Case No. 23 of 2024, instituted for the offences punishable under Sections 30(a), 41 and 56 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 200 liters liquor was recovered from tempo 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. The petitioner are in custody since 09.01.2024 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 Special Case No. 118 of 2024, arising out of Danapur P.S. Case No. 23 of 2024.

(Rudra Prakash Mishra, J)

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