

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20323 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

1. Akshay Kumar son of Satyawar Village- Malar Ps- Pili Khoda Dist- Jind, Hariyana
2. Chandanlal Dev son of Uday Lal Village- Biyani Ps- Bahadurpur Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mr. Nityanand, 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 Chapra Muffasil P.S. Case No. 27 of 2024, instituted for the offences punishable under Sections 420, 468, 471 of the Indian Penal Code, Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 903.24 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. Charge-sheet has been submitted in this 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 passenger of the seized vehicle and they have no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 21.01.2024. Petitioner No. 1 has got no criminal 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 Chapra Muffasil P.S. Case No. 27 of 2024.

(Rudra Prakash Mishra, J)

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