

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23103 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- Excise P.S. District- Saran

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1. Awadh Kishore Mahto Son of Late Bishnu Mahto Resident of Village-
Brahmpur, P.S.- Bhagwan Bazar, Dist.- Saran
 2. Shailesh Mahto Son of Sri Mahendra Mahto Resident of Village-
Dharmshala, P.S.- Revilganj, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Srivastva, Advocate
For the Opposite Party/s : Mrs.Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Sadar Excise P.S. case
No. 19 of 2024 instituted for the offences under Sections 30(a)
and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 245 liters
liquor was recovered from the car in question. The petitioners
were apprehended at the 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 has 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 vehicle. The petitioners are in custody since 02.02.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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 petitioner.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sadar Excise P.S. case No. 19 of 2024.

(Rudra Prakash Mishra, J)

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