

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22964 of 2024

Arising Out of PS. Case No.-321 Year-2024 Thana- Excise P.S. District- Patna

1. Bhonu Ram @ Bhonu Ray S/O Late Visnudhari Ray @ Ishudhari Ray R/O Village- Kila Road, P.S- Chowk, Distt.- Patna.
2. Sonu Kumar S/O Shankar Ray R/O Village- Kila Road, P.S- Chowk, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

For the Opposite Party/s : Mrs.Shaheen Begum, 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 Excise (Prohibition) P.S. case No. 321 of 2024 instituted for the offences under Section 30(a) and 56(b) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 300 liters liquor was recovered from the boat in question.

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 petitioners are said to be sailors who were sailing the boat. They have no knowledge about the liquor kept in the boat. The petitioners are in custody since 18.02.2024 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 Excise (Prohibition) P.S. case No. 321 of 2024.

(Rudra Prakash Mishra, J)

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