

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24571 of 2024

Arising Out of PS. Case No.-638 Year-2023 Thana- Excise P.S. District- Saran

1. Vikash Son of Krishna Resident of Village- subana, P.S.- Machhruki, Dist.- Jhhajajar, Stat- Hariyana
2. Sandip Gupta Son of Vashisht Narayan Gupta Resident of Village- Bahadurgarh, P.S.- Sector-09, Bahadurgarh, Dist.- Jhhajajar, State- Harriyana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarfraz Ahmad, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in Saran Excise P.S. Case No. 638 of 2023, instituted for the offences punishable under Section 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 396 liters liquor was recovered from car and 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 petitioners are in custody since 30.12.2023. Petitioner No. 1 has got no criminal antecedent and 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 Saran Excise P.S. Case No. 638 of 2023.

(Rudra Prakash Mishra, J)

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