

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26389 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- BRAHMPUR District- Buxar

1. Shatrudhan Bin S/o Hari Bin Resident of Village- Bhariar, P.S.- Brahmpur, District- Buxar
2. Sagaru Bin S/o Ram Pati Bin Resident of Village- Bhariar, P.S.- Brahmpur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 05-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Brahmpur P.S. Case No. 43 of 2024 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, there has been recovery of
total 38 liters of illegal liquor from the possession of these
petitioners.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.
Petitioners were apprehended on spot. Petitioners have no



concern with the alleged recovery of liquor. On the basis of suspicion, petitioners have been implicated in the present case by the police. No incriminating article has been recovered from the conscious possession of these petitioners. The provision of Section 100 of the Cr.P.C. has not been followed in this case. The petitioners are in custody since 05.02.2024 and they have no criminal antecedent.

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 as well as 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Brahmpur P.S. Case No. 43 of 2024.

(Rudra Prakash Mishra, J)

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