

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26071 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- Excise P.S. District- Siwan

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1. Kumar Gaurav @ Sujit Kumar Yadav Son of Late Umashankar Yadav
Resident of Village- Khargi Rampur, P.S.- Zeradei, Dist.- Siwan
 2. Rohit Kumar Gaur Son of Late Sanjay Kumar Gaur Resident of Village-
Bharauli, P.S.- Andar, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

**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 Siwan
Excise PS Case No. 53 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 720 liters
liquor was recovered from Scorpio and petitioner was arrested
on 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. It is submitted that



petitioners are neither the owner of the vehicle nor the driver of the vehicle. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 01-02-2024 and have 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, clean antecedent of the petitioners 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwan Excise PS Case No. 53 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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