

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25432 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- MAKER District- Saran

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1. Lalita Devi Wife Of Baleshwar Thakur Resident Of Village- Pirmaker, Ps-Maker, Dist- Saran
 2. Subodh Kumar Son Of Baleshwar Thakur Resident Of Village- Pirmaker, Ps- Maker, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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

ORAL ORDER

- 2 04-04-2024 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in connection with Maker P.S. Case No. 19 of 2024 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 200 litres of liquor has been recovered from motorcycle and from *palani*, petitioners were apprehended on the spot.
4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious



possession of the petitioners rather the recovery has been made from an open place accessible to anyone. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 21.01.2024 and have no criminal antecedent. There is no compliance of Section 100 of the 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, clean antecedent 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Maker P.S. Case No. 19 of 2024.

(Rudra Prakash Mishra, J)

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