

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28170 of 2024

Arising Out of PS. Case No.-301 Year-2023 Thana- CHIRAIYA District- East Champaran

1. Narad Yadav S/o- Late Srinarayan Yadav @ Late Sri Narayan Ray Village- Semra Dhath Ps- Chiraiya Dist- East Champaran
2. Krishnanandan Yadav son of Late Srinarayan Yadav @ Late Sri Narayan Ray Village- Semra Dhath Ps- Chiraiya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Chiraiya P.S. Case No. 301 of 2023, instituted for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 80 liters liquor was recovered from three plastic bags.

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. It is further submitted that name of the petitioners have transpired on the basis of disclosure made by the local constable and the place of recovery is an open place which is accessible to everyone. The petitioners are in custody since 18.02.2024 and have got no criminal antecedent. 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 Chiraiya P.S. Case No. 301 of 2023.

(Rudra Prakash Mishra, J)

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