

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33819 of 2023

Arising Out of PS. Case No.-247 Year-2022 Thana- SONEPUR District- Saran

1. Dinesh Rai Son of Paras Rai Vill. - Sabalpur Nawal Tola, P.S.- Sonpur, Dist.- Saran.
2. Mithu Rai Son of Paras Rai Vill. - Sabalpur Nawal Tola, P.S.- Sonpur, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binoy Kumar Sinha 1, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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

ORAL ORDER

3 29-04-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with
Sonepur PS Case No. 247 of 2022 instituted for the offences
under Section 30(a) & 41(i) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that 50 litres
country made liquor was recovered from *Dalan* of petitioners.

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. The petitioners have



got no concern with the alleged recovery of liquor. It is submitted that recovery is from an open place, which is accessible to one and all. The petitioners are in custody since 13-09-2022, and has 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 petitioners.

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 Sonapur PS Case No. 247 of 2022.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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