

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30928 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- BALIA BELON District- Katihar

-
1. Bablu Das son of Late Amari Das Village- Belori Ps- Muffasil Dist- Purnea
 2. Suraj Kumar Poddar @ Suraj Poddar son of Late Maheshwar Poddar Village- Khukshibag Milan Para Ps- Sadar Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Musowir

For the Opposite Party/s : Mr.Surendra Kumar

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

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Balia Belon P.S. Case No. 28 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 59.45 liters of illegal liquor was recovered from a *Tempo*, which was being driven by the petitioner no. 1 and the petitioner no. 2 was sitting inside the tempo.

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. Learned counsel further submitted that petitioners have no concern either with the seized vehicle or with the wine in question. The petitioners are in custody since 28.02.2024 and petitiner no. 1 has one criminal antecedent, in which he is on bail and petitioner no. 2 has 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 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 Balia Belon P.S. Case No. 28 of 2024.

(Rudra Prakash Mishra, J)

Arish/-

U		T	
---	--	---	--

