

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31590 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- DEV District- Aurangabad

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1. Brajesh Kumar Son Of Pramod Chaudhary Resident Of Village - Khardiha Tola, Sibubigha, P.S. - Muffassil, District - Aurangabad (Bihar)
 2. Abhishek Kumar Son Of Suryadeo Yadav Resident Of Village - Turkabara, P.S. - Dhibra, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adarsh Singh, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioners seek bail in connection with Deo PS Case No. 65 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 total 133 liters country made liquor was recovered from motorcycle.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Petitioners are owners of the motorcycles, but 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. The petitioners are in custody since 13-03-2024 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 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 Deo PS Case No. 65 of 2024.

(Rudra Prakash Mishra, J)

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