

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31378 of 2024

Arising Out of PS. Case No.-89 Year-2024 Thana- SIRDALA District- Nawada

1. Pappu Rajvanshi S/o- Chando Rajvanshi Village- Pandedih Ps- Sirdalla Dist- Nawada
2. Bhola Rajvanshi S/o- Late Sitaram Rajvanshi Village- Jharna Ps- Sirdalla Dist- Nawada
3. Dilip Rajvanshi S/o- Jagdish Rajvanshi Village- Kasiadih Ps- Sirdalla Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

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

2. The petitioners seek bail in connection with Sirdala PS Case No. 89 of 2024 instituted for the offences under Sections 30(a) (c)/41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 350 liters country made liquor and 2000 litres of swollen *mahua* solution was recovered from forest.

4. Learned counsel for the petitioners submit 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 08-03-2024. Petitioner No. 1 bears two criminal antecedents and petitioner No. 2 bears one criminal antecedent while petitioner No. 3 is a man of clean 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 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 Sirdala PS Case No. 89 of 2024.

(Rudra Prakash Mishra, J)

Raj kishore/-

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