

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30020 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- DIGHWARA District- Saran

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1. Manish Kumar Gupta Son Of Sanjay Kumar Shah Village -Kanakpur, P.S.-
Dighwara, District -Saran
 2. Nitesh Kumar Gupta Son Of Sanjay Kumar Shah Village -Kanakpur, P.S.-
Dighwara, District -Saran
 3. Mohan Paswan @ Mohan Son Of Late Lal Bahadur Paswan Village
-Kanakpur, P.S.- Dighwara, District -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shanker Tiwari, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

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

ORAL ORDER

2 20-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in Dighwara P.S. Case No.
61 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, 251.5 liters
liquor was recovered from car and *puwal*. The petitioners were
apprehended on spot.

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. The petitioners are in custody since 11.03.2024 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 Dighwara P.S. Case No. 61 of 2024.

(Rudra Prakash Mishra, J)

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