

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30444 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- SHIVSAGAR District- Rohtas

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1. Priyanshu Rai Son of Satendra Rai Resident of Village - Chauka Ghhat in front of District jail, P.S.- Varanasi, District - Varanasi (Uttar Pradesh).
 2. Alok Yadav Son of Ramdhari Yadav Resident of Village - Sarnath House No.- 1065, P.S.- Sarnath, District - Varanasi (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Shivsagar P.S. Case No. 118 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, 811.320 liters liquor was recovered from truck and a car out of which 58.560 liters liquor was recovered from the car of the petitioners. Both 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. It is further submitted that the petitioner no. 1 was sitting in the vehicle and petitioner no. 2 was driver of the seized vehicle, both of them have no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 10.03.2024 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 Shivsagar P.S. Case No. 118 of 2024.

(Rudra Prakash Mishra, J)

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