

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30719 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- FATEHPUR District- Gaya

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1. Kavi Kumar SON OF PREMCHAND YADAV @PREMCHANDRA YADAV RESIDENT OF VILLAGE - MATAGADHA, P.S- MOHANPUR, DISTT- GAYA
 2. SANJAY KUMAR @ SANJAY YADAV SON OF PREMCHAND YADAV @PREMCHANDRA YADAV RESIDENT OF VILLAGE - MATAGADHA, P.S- MOHANPUR, DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Vardhan
For the Opposite Party/s : Mr.Syed Mojibur Rahman

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 Fatehpur P.S. Case No. 101 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 144.37 liters of illegal liquor was recovered from two motorcycles.

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 vehicles or with the wine in question. The petitioners are in custody since 24.02.2024 and have 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 Fatehpur P.S. Case No. 101 of 2024.

(Rudra Prakash Mishra, J)

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