

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33202 of 2024**

Arising Out of PS. Case No.-252 Year-2024 Thana- SONEPUR District- Saran

1. Mantu Kumar S/o Mahendra Rai R/o vill - Parmanandpur, P.S. - Sonpur, Distt. - Saran at Chapra
2. Nagendra Kumar S/o Ramdayal Rai R/o vill - Rahimpur, P.S. - Sonpur, Distt. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

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

ORAL ORDER

2      02-05-2024      Heard learned counsel for the petitioners and learned APP for the State.

2.      The petitioners seek bail in connection with Sonapur PS Case No. 252 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 210 liters liquor was recovered from Bhabharida Nahar.

4.      Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case on the disclosure made by local chaukidar. 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 25-03-2024. Petitioner No. 1 bears one criminal antecedent while petitioner No. 2 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 Sonapur PS Case No. 252 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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