

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31222 of 2024

Arising Out of PS. Case No.-123 Year-2024 Thana- Excise P.S. District- Begusarai

1. ROHIT KUMAR S/O Manoj Kumar Sah R/O vill- Maheshpur, P.S-
Bhagwanpur, Dist- Begusarai
2. CHANDRA ROSHAN KUMAR S/O RAM SEVAK SAH R/O vill-
Maheshpur, P.S- Bhagwanpur, Dist- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

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

ORAL ORDER

- 2 24-04-2024 1. Heard learned counsel for the petitioners and learned
APP for the State.
2. The petitioners seek bail in connection with
Begusarai Excise P.S. Case No. 123 of 2024 instituted for the
offences punishable under Sections 30(a), 32(3) of the Bihar
Prohibition and Excise Act.
3. The prosecution case, in short, is that total 378 litres
of liquor was recovered from truck.
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 are neither the owner nor the driver of the vehicle. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 11.03.2024 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, clean antecedent 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 Begusarai Excise P.S. Case No. 123 of 2024.

(Rudra Prakash Mishra, J)

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