

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32439 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- THAKRAHA District- West Champaran

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1. RAJIV KUMAR @ MEDHU S/O KAILASH MALI R/O VILLAGE-CHAKHANI KISHANPATTI, P.S- BAGAHA, DISTT.- WEST CHAMPARAN.
 2. DHURANDHAR YADAV @ DHURENDRA YADAV S/O NATHU YADAV R/O VILLAGE- DHOBI GHATWA, P.S- BARWA PATTI, DISTT.- KUSHINAGAR (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seeks bail in Thakaraha P.S. Case No. 3 of 2024 instituted for the offences under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 286 liters of English liquor was recovered from a Tractor.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Petitioners are the driver and co-driver of the said



tractor and they had no knowledge regarding the goods loaded in the vehicle. Charge-sheet has been submitted in this case. 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. The petitioners are in custody since 28.01.2024 and have got no criminal 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, clean antecedents of the petitioners 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 Thakaraha P.S. Case No. 3 of 2024

(Rudra Prakash Mishra, J)

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