

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32306 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- RAMGARH District- Kaimur (Bhabua)

1. Saif Ali Son of Sakil Khan RESIDENT OF VILLAGE - DEVAITHA, P.S.- JAMANIA, DIST- GAZIPUR(U.P).
2. MOHD. AJAHAR KHAN @ MD. AJAHAR SON OF MOHD. JUNED KHAN RESIDENT OF VILLAGE - DEVAITHA, P.S.- JAMANIA, DIST- GAZIPUR(U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, 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 seek bail in connection with Ramgarh P.S. Case No. 11 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 a total 80.250 liters liquor was recovered from a car.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Petitioners are neither owner nor driver of 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 17.03.2024 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 petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent 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 Ramgarh P.S. Case No. 101 of 2024.

(Rudra Prakash Mishra, J)

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