

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30972 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- Excise P.S. District- Banka

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1. Sabir Ansari son of Kamruddin Miyan RESIDENT OF VILLAGE - KOKI PARSANI, P.S. - KHAGA, DISTT- DEOGHAR(JHARKHAND).
 2. FAKRUDDIN ANSARI SON OF KAMRUDDIN MIYAN RESIDENT OF VILLAGE - KOKI PARSANI, P.S. - KHAGA, DISTT- DEOGHAR(JHARKHAND).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad
For the Opposite Party/s : Mr.Meena Singh

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 Excise P.S. Case No. 126 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 1348.200 liters of illegal liquor was recovered from a *Truck*, which was being driven by the petitioner no. 1 and petitioner no. 2 was helper.

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 with the seized vehicle or with the wine in question. Moreover, it is submitted that the petitioners have no knowledge that what is being carried in the said vehicle. The petitioners are in custody since 14.03.2024 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 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 Excise P.S. Case No. 126 of 2024.

(Rudra Prakash Mishra, J)

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