

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32357 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- BALRAMPUR District- Katihar

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1. Madho Sah son of Late Ramotar Sah R/V - Bakhtiyarpur, P.S. - Mansi, Distt. - Khagaria
 2. Kulanand Sah son of Late Ramotar Sah R/V - Bakhtiyarpur, P.S. - Mansi, Distt.- Khagaria
 3. Santosh Kumar son of Vinod Sah R/V - Bakhtiyarpur, P.S. - Mansi, Distt.- Khagaria
 4. Saurav Kumar son of Dilip Sah Village- Chautham Jamua Ps- Chatham Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, 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 Balrampur P.S. Case No. 42 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 180.24 liters liquor was recovered from a Tata Sumo vehicle.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case.



No incriminating material has been recovered from the conscious possession of the petitioners. The vehicle in question does not belong to the petitioners. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 15.3.2024 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 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 Balrampur P.S. cAse No. 42 of 2024.

(Rudra Prakash Mishra, J)

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