

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32322 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- Excise P.S. District- Saran

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1. Shailesh Kumar Rai S/o Late Krishna Rai R/o Village Babhanhiya Police Station Garkha District Saran
 2. Nunu Manjhi S/o Sri Bhuneshwar Manjhi R/o vill - Gaura, PS. - Marhowra, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate
For the Opposite Party/s : Mr. Upendra 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 Sadar
Excise P.S. Case No. 58 of 2024 instituted for the offences
under Sections 30(a) and 32(3) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that a total of 20
liters of liquor was recovered from a scooty.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in the
present case. Petitioner is neither the owner nor driver of the
scooty. 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 07.03.2024 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 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 Sadar Excise P.S. Case No. 58 of 2024.

(Rudra Prakash Mishra, J)

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