

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35726 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- Excise P.S. District- Madhubani

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1. Lalit Kumar Sahu son of Shivjee Sahu Resident of Village- Lohat, Ward No. 01, P.S.- Pandaul, Dist.- Madhubani
 2. Sunita Devi Wife of Rambharos Mandal Resident of Village- Dullipatti, Ward No. 12, P.S.- Jaynagar, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-05-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek bail in Madhubani Excise P.S.

Case No. 80 of 2024, corresponding to G.O. No. 751 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, 232.2 liters

liquor was recovered from car and the petitioners were

apprehended on spot.

4. Learned counsel for the petitioners submits that the

petitioners are innocent and have falsely been implicated in the

present case. No incriminating material have been recovered



from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. It is further submitted that the petitioners are neither owner nor driver of the seized vehicle in question, rather they were passerby of that way. The petitioners are in custody since 16.03.2024 and have got no criminal antecedent. There is no compliance of Section 100 of 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhubani Excise P.S. Case No. 80 of 2024, corresponding to G.O. No. 751 of 2024.

(Rudra Prakash Mishra, J)

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