

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36696 of 2024**

Arising Out of PS. Case No.-21 Year-2024 Thana- PIPRASI District- West Champaran

1. Mukesh Yadav Son of Patru Yadav R/O Vill.- Baluaa Reta, P.S.- Nadi, Dist.- West Champaran
2. Brajesh Yadav @ Brijesh Yadav Son of Patru Yadav R/O Vill.- Baluaa Reta, P.S.- Nadi, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Milind Kumar Mishra, Advocate  
For the Opposite Party/s : Mr. Bharat Lal, APP

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

ORAL ORDER

2      14-05-2024                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Piprasi P.S. Case No. 21 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, 137 liters liquor was recovered from two motorcycles. Both 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 one of the seized motorcycle belongs to petitioner no. 1 who was riding the motorcycle and petitioner no. 2 was a pillion rider in the said motorcycle of petitioner no. 1. The petitioners are in custody since 03.04.2024. Petitioner No. 1 has got one criminal antecedent in which the petitioner is on bail and Petitioner No. 2 has 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 Piprasi P.S. Case No. 21 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the  
bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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