

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33909 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- BUXAR MUFFSIL District- Buxar

1. Dhananjay Kumar son of Kameshwar Prasad R/o- Village- Kayampur, P.S- Khusarupur, Dist - Patna
2. Vikash kumar S/O - Late Sunil Singh R/o- Vill- Alipur, P.S- Salimpur, Dist- Patna
3. Satish Kumar Son of Upendra Sah R/o - vill- Alipur, P.S- Salimpur, Dist - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 06-05-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in Buxar (M) P.S. Case No. 92 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, 324 liters liquor was recovered from two vehicles 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 passenger of the seized vehicle and they have no knowledge regarding the goods loaded in the vehicle. The petitioners are in custody since 16.03.2024. Petitioner No. 1 has got four criminal antecedents and Petitioner Nos. 2 and 3 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 Buxar (M) P.S. Case No. 92 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)

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