

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34322 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- ATRI District- Gaya

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1. Birendra Kumar SON OF RAJENDRA YADAV RESIDENT OF VILLAGE - BARDIHA , P.S.- TANKUPA, DISTT- GAYA
 2. PARDIP KUMAR SON OF MUNNI LAL @ MUNI LAL SINGH RESIDENT OF VILLAGE - BARDIHA , P.S.- TANKUPA, DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

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

2. The petitioners have preferred this application for grant of regular bail in connection with Atri P.S. Case No. 98 of 2024 dated 21.03.2024 registered for the offences punishable u/ss 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 20 litres of illicit country made liquor was recovered from the motorcycle.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners are neither the driver nor the owner of the said vehicle. The petitioners have no concern



with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner no. 1 has one criminal antecedent and the petitioner no. 2 has no criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 22.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Atri P.S. Case No. 98 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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