

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35324 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- Excise P.S. District- Bhojpur

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1. Dhiraj Kumar Son Of Dhanik Ray Village- Mahanar, Naya Gaon, Urf Mohamadpur, Ps- Deseri, Dist- Vaishali
 2. Sanjeet Kumar Son Of Ramji Prasad Village- Sewarji, Ward No. 5 Ps- Mirganj, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 08-05-2024 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners seek bail in connection with Excise PS Case No. 65 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 278.280 liters of foreign liquor was recovered from Scorpio.

4. Learned counsel for the petitioners submits that the petitioner are innocent and have falsely been implicated in the present 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. It is



submitted that petitioners are driver and khalasi of the said Scorpio, and they were oblivious of the fact that illicit liquor was laden in the vehicle. The petitioners are in custody since 18-03-2024 and has 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 of the petitioners 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Case No. 65 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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