

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34456 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- KOTWA District- East Champaran

1. Hemant Singh Son of Pitamber Singh Resident of Village - Patti Jasauli, P.O. and P.S.- Kotwa, District - East Champaran
2. Raushan Kumar Son of Jagdish Ram Resident of Village - Patti Jasauli, P.O. and P.S.- Kotwa, District - East Champaran
3. Pradeep Kumar Son of Shambhu Das Resident of Village - Patti Jasauli, P.O. and P.S.- Kotwa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 07-05-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in Kotwa P.S. Case No. 67 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, 35 liters liquor was recovered from the equipment room of Ram Singh. 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 alleged place of recovery do not belong to the petitioners. 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 Kotwa P.S. Case No. 67 of 2024.

(Rudra Prakash Mishra, J)

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